

1923.  
Box 1.

RAILWAYS ACT, 1921.

PROCEEDINGS OF THE RAILWAY  
RATES TRIBUNAL.

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THE FORMS OF SCHEDULE OF CHARGES FOR  
THE CONVEYANCE OF WORKMEN.  
ORDINARY SEASON TICKET RATES.  
TRADERS' SEASON TICKET RATES.

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TUESDAY, MAY 29<sup>TH</sup>, 1923.

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FIRST DAY.

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1923

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# PROCEEDINGS OF THE RAILWAY RATES TRIBUNAL.

TUESDAY, MAY 29TH 1923.

## PRESENT :

W. B. CLODE, Esq., K.C. (*President*).

W. A. JEPSON, Esq.

Geo. C. LOCKET, Esq., J.P.

## FIRST DAY.

MR. BRUCE THOMAS and MR. A. TYLOR (instructed by the Hon. Solicitors) appeared for the Railway Companies' Association.

MR. HENRY G. PURCHASE appeared for the National Association of Railway Travellers.

THE HON. R. STAFFORD CRIPPS appeared for the London County Council.

MR. DEW appeared for the National Association for the Promotion of Cheap Transit.

MR. WILLIAM STRANG, MR. ALFRED BROWN, and MR. JOSHUA WINTERBOTTOM appeared on behalf of the Monmouthshire and South Wales Coal Owners' Association.

MR. H. J. DAVIS appeared as a Season Ticket holder.

*Mr. Drage:* Before you begin this morning, Sir, may I clear up one point that was left outstanding? At the beginning of the proceedings of the 5th March, 1923 (Fifth Day, page 118) on the question of terminals, you said at the commencement of the second paragraph: "There is the question with regard to the expression 'terminals' in the Schedule, which was raised by a gentleman sitting on my right"—that is, the Schedule for returned empties. That was left over for Mr. Pike to consider. Then you will see there is some discussion about it, and on the next page, in the left-hand column, you left it like this: "(*President*): However, I gather that something might be done. (*Mr. Pike*): We will try." Since that date we have all had an opportunity of considering the matter very carefully; and if I may read you five lines from a letter I wrote to the railway companies on the 26th of this month I think that will clear up the position.

*President:* To what did it exactly refer? Was it the charges for returned empties?

*Mr. Drage:* Yes; the question of whether or not terminal charges should be shown separately in the Schedule for returned empties.

*President:* Yes; and some would come out at a very small figure?

*Mr. Drage:* Yes; that was the point. This is what the Co-ordinating Committee were able after a great deal of consideration to say, "I am now in a position to inform you that the objection lodged on behalf of the Traders' Traffic Conference and the Association of British Chemical Manufacturers to the form of schedule for returned empties as agreed between the railway companies and the Traders' Co-ordinating Committee will be withdrawn if the railway companies will state before the tribunal, when invited to do so by the representative of my Committee, that they agree that charges for station and service terminals will be included in the returned empties scale." If I may invite the railway companies to agree to that now, that will cover it.

*Mr. Pike:* If you will look, Sir, at page 115 of the Minutes of Evidence you will find I have already twice said so. It is in the right-hand column, rather more than half way down the page. Mr. Jepson there asked me, "In regard to the form of Schedule which is proposed here, when the figures are filled in will that include the station and service terminals?"

(*Mr. Pike:*) Yes?" and further down it is repeated. I have read that over again, and I have nothing to withdraw. The charges will include the station and service terminals.

*President:* It was rather a technical point, if I remember, which ought according to the Statute to appear. Was not that it?

*Mr. Pike:* Yes, that was the technical point.

*President:* But you were not bound to make a charge. I mean, you could make an inclusive charge, but if you made a charge separately it was bound to appear. Was not that it?

*Mr. Pike:* Yes.

*President:* Mr. Bruce Thomas does not look quite satisfied.

*Mr. Pike:* This will be an inclusive charge; and it is subject to what I said that in some cases the amount of the charge is so small that the amount for terminal must necessarily be almost infinitesimal. Of course, that will not apply to returned ale empties, because they are charged at the tonnage rate; that tonnage rate will be charged according to the service.

*Mr. Jepson:* Before you sit down, Mr. Pike, if you look a little lower down the column you will see I said: "It is not explained here that it does include them," and you said, "No." Is it proposed now, to make it quite clear on the form of the Schedule, that the charge will include the station and service terminals?

*Mr. Pike:* Yes.

*Mr. Jepson:* I thought that would clear the air a lot.

*Mr. Pike:* We thought we had met it; because further down you said this: "I see, by arrangement, I suppose, with the Co-ordination Committee, the heading of the scale which originally read 'Form of Schedule of charges for the conveyance of returned empties' has 'the conveyance of' struck out. (*Mr. Pike*): Yes. (*Mr. Jepson*): That probably has been done advisedly, because the scale will include something more than conveyance. (*Mr. Pike*): That is correct."

*Mr. Jepson:* But it does not show how much or how little it includes beyond conveyance. It does seem to want some explanatory remark that the charge which will be ultimately put in does include station terminals and service terminals.

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[Continued.]

*Mr. Pike:* We thought that the heading was sufficient. It does not say "for conveyance"; it says, "The charge for empties will be so and so."

*Mr. Jepson:* But it clearly excludes collection and delivery.

*Mr. Pike:* Yes.

*Mr. Jepson:* Might I suggest you could make it clear by adding some words; that would be sufficient.

*Mr. Locket:* Would it not be advisable to put them in brackets, the charges for empties including service terminals and station terminals, so as to avoid any misapprehension at all?

*Mr. Pike:* Of course the trouble then is the trouble of disintegration for these very small amounts.

(The Tribunal conferred.)

*President:* Mr. Drage, are you satisfied with the Schedule without the note that is suggested?

*Mr. Drage:* Yes. It was with that intention that I made the remarks I did just now. Now the suggestion has been made, it seems quite a sound one, if I may say so; but I cannot demand that now because I did not demand it originally. As I think Mr. Jepson has already pointed out, the object of the heading of the original Schedule was just that; it was originally "Schedule of charges for conveyance of returned empties"; and that was exactly the point we said to the companies: You must take conveyance out or it is denied that terminals are included. It does certainly make it more clear if you have a note at the bottom saying these charges are inclusive of station and service terminals.

*President:* Then, on the whole, I think the note might be added—my colleague here who has great experience thinks it would facilitate the understanding of it—some such words as Mr. Pike suggested.

*Mr. Pike:* Very good, Sir; we will put in suitable words.

*President:* Who is the next gentleman that wishes to address the Tribunal? Mr. Bruce Thomas, do you want to bring forward the proposals of the railway companies?

*Mr. Bruce Thomas:* If you please, Sir. I am bringing forward the proposals of the railway companies with respect to the form of Schedule of charges for the conveyance of workmen, and in respect to the form of Schedule of rates for ordinary season tickets and traders' tickets. I do not know whether it would be convenient that we should follow, in dealing with these three proposals, the procedure that has been followed on previous occasions of dealing with each Schedule in turn and getting that out of the way. It is quite immaterial to me personally. I have only two witnesses, and I shall be able to release one of them after we have finished with the proposals with regard to workmen's fares; and I understand that that would also suit my friends.

*President:* You understand that it suits your friends on the other side?

*Mr. Bruce Thomas:* Yes.

*President:* Then let us begin with workmen's fares, if that is convenient to everyone.

*Mr. Bruce Thomas:* If you please, Sir. These proposals for the form of Schedule of workmen's fares are brought forward under Section 30 of the Railways Act. You will remember, Sir, that on an earlier occasion we discussed the question as to whether or not such a Schedule had to be brought forward by the railway companies and settled by the Tribunal; and after considerable discussion the Court held that they had to settle standard rates for workmen. We, of course, have accepted that decision of the Court, and in compliance with it have deposited these proposals.

I should like to draw attention to one point upon Section 30 under which these proposals are brought forward, and that is this: That Section 30 deals with the Schedule of standard charges—not charges generally, but standard charges; and that is a point which seems to me to be important because, as I gather from some of the objections that have been

*Mr. Jepson:* But do you get over the trouble of disintegration whether you put in that remark or not? It seems to me it does not interfere with the question of disintegration.

*Mr. Pike:* No; but it is, rather an invitation to the trader to make a claim, is it not?

*Mr. Jepson:* I think if you leave it blank it is an invitation to the trader first of all to make an inquiry what the charge does include, and then when he gets the answer he is in the same position as if you put the remark in the Schedule.

*Mr. Pike:* Possibly so. If the Tribunal think it desirable, I think we might put a note at the bottom; but I must say we rather deprecate it.

put forward, it has not been appreciated by some of the objectors at least; because there are various objections put forward which relate to exceptional matters. For instance, there is one from the Monmouthshire and South Wales Coal Owners' Association. They point out that no provision is made for dealing with workmen in exceptional circumstances which one finds, for instance, in Monmouthshire and South Wales. It occurs to us that it is a complete misapprehension to bring that matter up now; because, as I understand the Act, what this Court has to do is to settle the standard—we used to look upon it as the maximum—and there will no doubt be departures from that standard; there will not be able to be any departures in an upward direction, but exceptional circumstances will have to be met and dealt with, and they can be dealt with under Section 41 of the Railways Act.

The proposals we bring forward with regard to workmen's fares really are nothing more than following out that which was recommended by the Rates Advisory Committee in their Report of July 23rd, 1920, to the Minister of Transport. Those proposals were accepted by the Minister of Transport, and he directed the railway companies, under the powers conferred upon him by the Ministry of Transport Act, to charge workmen's fares in accordance with that Schedule. To the railway companies' experts in this matter there seems to be no more appropriate form of Schedule, and it in fact in our view gives effect to the intention of the Railways Act. All of us who have been concerned with the lengthy proceedings which led up to the passing of the Railways Act know this, that that for which everyone was striving was uniformity as far as it could possibly be attained; and the Rates Advisory Committee in their Report, on which the Railways Act was founded, regretted very much that they could not see their way to recommend that all charges throughout the country should be uniform. In several passages in that Report they refer to the desirability of making charges as uniform as it is possible to do so. In this respect with regard to workmen's fares the whole of the railway companies are producing to you proposals which will result in the standard charges for workmen's fares being uniform throughout the country. Under these proposals, if adopted, the standard, or maximum, workmen's fares will be the same all over the country between points which are the same distance apart. That is to say, if workmen's tickets are being issued from a point, say, eight miles north of London into London, and from a point eight miles south of London into London, the standard workmen's fare will be the same; and the standard workmen's fare will be the same if it is issued between two points eight miles apart in Yorkshire or in any other part of the country. As you know, Sir, from the evidence that was given before the Court when this question of workmen's fares—the necessity or the desirability of having a standard settled—was gone into, there are various rates in operation all over the country, and no doubt in future the circumstances which have necessitated those varying rates will to a large extent operate; and although this standard will be settled as a maximum, one of course does not apprehend that

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[Continued.]

it will operate everywhere. There must be exceptions from it, just in the same way as one finds a very large number of exceptions from the class rates of to-day or where there will be exceptions from the standard rates in the future. It is with the desire of attaining uniformity whenever it is possible that this proposal is put forward by the railway companies.

I do not know that there is anything very much I can say about the form itself. I shall be calling a witness, and you will see that, although we have adopted the form which was recommended by the Rates Advisory Committee, we have made a very substantial departure from it. You will find the recommendation of the Rates Advisory Committee set out in their Report of July 23rd, 1920, at page 7. You will see that they recommended that the following scale of charges should be immediately adopted, "for any distance not exceeding two miles, 3d. for the return journey." There they establish a minimum of 3d. If you refer to the proposals of the railway companies, you will see we are not seeking to maintain that minimum. If you look at the proposals you will notice the first line is, "For each return journey where the single journey does not exceed 1 mile, 1 penny." We have adopted the form that was recommended by the Rates Advisory Committee, but we have done away with the 2-mile minimum; and that was a matter, you will remember, which was discussed at some length in a case that was recently before this Court, brought by the Grays Thurrock Urban District Council against the London, Midland and Scottish Railway Company. The railway companies do not propose to ask this Court to sanction the maintenance of the minimum which was authorised by the Minister of Transport and recommended by the Rates Advisory Committee. They suggest now that there should be a charge as for one mile, for one and one-third miles, for one and two-thirds miles, and then they come on to the mileage gradations as proposed by the Rates Advisory Committee. Then you will find at the bottom we have again adopted the conclusions of the Rates Advisory Committee when you get above 4 miles: "For each return journey where the single journey exceeds 4 miles, for the first 4 miles and for each additional 1 mile or part thereof."

What appears to have been the principle upon which the Rates Advisory Committee acted when they provided for three breaks in each mile up to 4 miles, but after that for only two breaks, was that some advantage should be given to workmen who lived at a greater distance than 4 miles from their work. That, as I understand it, was the principle which was operating in their minds and to which they gave effect when they recommended this scale. Then, "Fractions of one halfpenny to be charged as one halfpenny." The last paragraph deals with the tools which a workman may take with him. The proposals of the railway companies is that he shall not, of course, be allowed to take with him luggage which an ordinary passenger may take with him, but he may take with him something which an ordinary passenger may not take with him. An ordinary passenger, of course, cannot take the tools of his trade; that is not personal luggage.

*President:* He takes his wig and gown.

*Mr. Bruce Thomas:* He might be hauled up over it. I do not know whether he ever has been; but such things as typewriters are not strictly personal luggage. But here, of course, the only thing that a workman is likely to take are the tools of his trade; and we provide that he should be allowed to take tools not exceeding 60 lbs. We think that that is ample, and even with that weight it is subject to abuse, because it is not an uncommon thing for a man who is going out to do odd jobs for his employer to take really what are the materials of his master for carrying out the particular job he is going to perform; and we know quite well that we carry a very considerable quantity of stuff of that nature which the workman takes as his tools. Of course if that 60 lbs. is increased there is a very grave danger of that abuse becoming a very serious

one for the railway companies; and we have no reason to believe that 60 lbs. is not an ample allowance for tools for, at least, an ordinary workman.

*Mr. Jepson:* This is quite a new provision, is it not?

*Mr. Bruce Thomas:* Sixty lbs.?

*Mr. Jepson:* No, the provision that a workman shall be allowed to take 60 lbs. weight of his tools. Is that quite a new provision, or is it already part of the Regulations?

*Mr. Bruce Thomas:* I think it is practically universal to-day.

*Mr. Jepson:* But not set out anywhere?

*Mr. Dew:* No; no weight whatsoever is put in. There has never been such a question suggested before.

*Mr. Jepson:* That is quite clear, I suppose; although it has been the practice to pass workmen with their tools without charging for the tools, it has not been laid down in any Regulations as to any particular weight?

*Mr. Bruce Thomas:* I am inquiring whether it is laid down.

*Mr. Jepson:* One point has occurred to me after what you have said. It is this: You said just now that "tools" did not include a typewriter?

*Mr. Bruce Thomas:* No, I did not say that. What I said was that a passenger travelling with an ordinary ticket who is entitled to take so many pounds of his personal luggage cannot take his typewriter as personal luggage.

*Mr. Jepson:* As we know, lots of work-girls do take workmen's tickets in the morning; supposing they carried a typewriter with them—but perhaps it is asking too much of you to give an explanation now; yet it does seem to open the door to that sort of thing.

*Mr. Bruce Thomas:* I do not know whether—

*Mr. Jepson:* Perhaps it is not fair to ask for an opinion on a point like that.

*Mr. Bruce Thomas:* I feel some difficulty in saying that a typewriter could not be taken under this. I should rather like to consider it. Typewriters are specially provided for; but I do not know that that would affect the question as to whether or not they are covered by this provision. (*Mr. Bruce Thomas consulting his clients.*) I must confess that if a clerk is entitled to take and travel with a workman's ticket under this condition and with the right to take tools up to 60 lbs., I should feel very great difficulty in saying that he was not entitled to take his typewriter.

*President:* And a musician his violoncello in the same way. It is capable of endless variety.

*Mr. Bruce Thomas:* Yes, it is, if you get a person who is entitled to take a workman's ticket.

*President:* Yes, quite so.

*Mr. Bruce Thomas:* Of course there are certain things about which there may be some doubt; but you cannot have an endless description of things here of what a person may or may not take. If I may say so, there must be a certain amount of give and take, and a certain amount of risk run as to what "tools" would include. It may be that we are running the risk that we shall have to take the typewriters free; and my friends who are interested in those who use typewriters may be running a slight risk that they will not. I have my own view as to who is running the greater risk. It has been stated, I think, by Mr. Dew that no limit of weight was ever proposed; I think he said that nothing whatever was said about tools, but that tools could be taken. I find that on the South Eastern there is a limit imposed and advertised—namely, 56 lbs. But, in no provision for a workman taking with him his tools, but that it is the practice to allow him to take tools, what that really amounts to is this, that to-day, strictly speaking, a workman would not be entitled to take tools; but, however, the practice is that he is allowed to take tools, and we propose to make that practice a statutory right of the workman in the future. I find also that the London, Midland and Scottish have a provision at present that workmen



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[Continued.]

having their tools with them as luggage will be allowed 60 lbs. each free of charge at their own risk. I should now like to make one or two observations upon the objections that have been raised.

*President:* As far as we have gone, do I understand that you are applying for this form of Schedule for a standard?

*Mr. Bruce Thomas:* Yes.

*President:* But at the same time you anticipate that very much what is going on to-day with regard to exceptional cases will go on after the standard is fixed?

*Mr. Bruce Thomas:* We do, certainly.

*President:* That is what is in your mind?

*Mr. Bruce Thomas:* Yes. The Court has got to fix a standard; that is the law; and this Court has declared that to be the meaning of the Railways Act; and, of course, we have accepted it as correct.

*President:* Yes.

*Mr. Bruce Thomas:* Now, if you would turn to Section 41 of the Railways Act, there you find in subsection (1) provisions with regard to exceptional fares: "Any amalgamated company or railway company to which a schedule of standard charges has been applied may charge fares below the standard fares in such circumstances as the company may think fit"—but they have to report them to the Minister.

*President:* That is a permissive power to the railway companies.

*Mr. Bruce Thomas:* Yes.

*President:* But can that be enforced in any way by members of the public, for instance?

*Mr. Bruce Thomas:* With regard to workmen's fares—

*President:* It is the Act of 1883.

*Mr. Bruce Thomas:* There is that question as to whether or not some right under that Act cannot still be enforced in spite of the Railways Act. About that matter I do not know. But apart from workmen's tickets, I think it is perfectly clear that there is no right in the public to demand anything lower than the standard fare; but there may be this right with regard to workmen's tickets.

*President:* But about the Act of 1883 you do not at the moment express any opinion?

*Mr. Bruce Thomas:* No. There is a question—I think you drew attention to it on a former occasion—is to whether or not the provision in the Act of 1883 which gives power to the Board of Trade, now the Minister of Transport, or, on reference, to the Railway and Canal Commissioners, to say what the fares for workmen's tickets shall be, has or has not been repealed by Section 34 of the Railways Act. I think it is clear that the jurisdiction of the Minister of Transport or of the Railway and Canal Commissioners to order workmen's trains has not been repealed. I think it is clear that that stands. Whether or not the other branch of their jurisdiction has been repealed is questionable.

*President:* Then, of course, you would be in the position of losing the benefits of the 1883 Act if you do not make an application under Section 41, such fares as were reasonable in the opinion of the Ministry of Transport.

*Mr. Bruce Thomas:* The passenger duty.

*President:* Yes. I am only wanting to see whether the workmen and their representatives have any hold on the companies after the standard has been fixed. You do not mind me investigating that?

*Mr. Bruce Thomas:* No. Of course, it is rather more important, if I may say so, when one comes to the question of fixing the quantum of charge that is to be made.

*President:* I quite admit that. But you made a little preliminary statement about what the attitude of the railway companies was, and I was taking it up from that point. I am willing to abandon it if it embarrasses you in any way.

*Mr. Bruce Thomas:* No. I wished to bring that, to the mind of the tribunal, because I wanted to make the point that this was a maximum.

*President:* Yes.

*Mr. Bruce Thomas:* It is a standard and it is a maximum. And with regard to the season-ticket rates, for instance, there will clearly be no right in any member of the public to demand anything less than the standard. But I think the tribunal must bear this in mind that, comparatively speaking, there have been no applications under the Cheap Trains Act. When I say "comparatively speaking" I mean having regard to the number of trains and workmen's tickets that are issued, and having regard to the fact that the workmen's tickets are almost universally issued in London at all points before a certain hour. That has not been done at the point of the bayonet; it has been done voluntarily. And I suggest that there is no reason to assume that the circumstances which operated and weighed with the railway companies in the past in giving these very extensive facilities to workmen at very low fares—all of which is referred to in the Report of the Rates Advisory Committee—there is no reason to suppose that those same circumstances will not operate in the future. Similarly with regard to season tickets, though I am not dealing with them at the moment. One knows that there was a sort of scale in existence in the past; but one also knows that all over the country there were scores and scores of departures from that scale, and one found exceptionally low rates. In future once a standard has been fixed a railway company, as the Act says, will be entitled to charge that standard, and no one except Parliament will be entitled to charge that standard, and no one except Parliament will be able to compel them to charge less.

*President:* Except in the case of the workmen, possibly, under the Act of 1883.

*Mr. Bruce Thomas:* Yes, that is so. But, again, with regard to season tickets, there is no reason to suppose that the circumstances which in the past have operated to make the railway companies give very low season ticket rates will continue to operate in the future.

*President:* And you are not putting that merely as a speculative argument for the future, you are stating it on behalf of the railway companies as to what you believe to be their policy?

*Mr. Bruce Thomas:* Yes; and I will put it to my witness who, of course, knows very much more about it than I do; and those are my instructions as to what he will say. I am not binding, and I must not be asked to bind, the railway companies to-day that all exceptions which are in existence now will continue in the future. That I cannot say. But I can say this, that it is not the policy of the railway companies, when a standard is fixed, to say: "You have asked for a standard; the Act has laid down a standard; that will be the standard and nothing else."

*President:* Because in regard to certain exceptions I suppose you would like to bring them into line?

*Mr. Bruce Thomas:* There is no doubt that some exceptions which exist to-day and which are considered to be anomalous will be swept away.

*President:* But it is with reference to those exceptions you are speaking when you say that some exceptions will not be preserved?

*Mr. Bruce Thomas:* Yes. I really cannot say anything as to what exceptions will and will not be preserved; but I can say this, as a matter of policy on behalf of the railway companies, that they have not got it in their minds at all that the circumstances which have made these low fares necessary in the past will not continue to operate in the future; and perhaps it will be better when I put Mr. Cox in the box to deal with the workmen's fares, that we should ask him some questions upon that aspect of the problem.

Then I would like to refer shortly to the objections that have been lodged. The first objection, I think, is the one I have already mentioned incidentally, that of the Monmouthshire and South Wales Coal Owners' Association. I believe that is number one

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[Continued.]

on the list which has been supplied to us by the Registrar. That Association says that it objects to the railway companies' proposals upon the grounds that there is no provision in the proposals to meet the requirements of colliery workmen or of colliery companies whose workmen are conveyed under exceptional and varying conditions, and/or by agreement between colliery companies and railway companies, and the existing facilities will or may be thereby prejudiced. What that refers to, Sir, is that it is quite a common thing for a railway company to enter into an agreement with a colliery company to this effect: We will run a train every morning, and you will guarantee that so many workmen's tickets per week will be taken. In those circumstances, when there is a guaranteed number of tickets going to be taken, then exceptional fares have been given in the past; and often, I understand, the tickets are purchased by the colliery company and they issue them direct to the workmen; and all sorts of exceptional arrangements are made. I have no doubt that arrangements of that sort will continue in the future. It is a great convenience to the colliery companies, and it is often, I have no doubt, a very great convenience and a benefit to the railway companies, that they should have this guarantee in some cases, and that in others cases they should hand over 1,000 tickets (or whatever the number may be) to the colliery owner and he either presents them to his workmen or sells them to his workmen. All those are exceptional arrangements that it is quite open for the parties to make in the future. But those are matters which are not relevant to the consideration of the standard charge for workmen's fares. Existing arrangements are referred to. There is Section 34 of the Act. Of course, all these agreements, if they are for any extended period—most of them in point of fact are terminable at short notice—but if there are any agreements which are either perpetual or for a very long term, then whatever rights the person who has such an agreement has incurred thereby can be brought before this Tribunal under Section 34. Section 34 repeals all such agreements, but there is this provision in the second paragraph of the Section: "In any case where it is proved to the satisfaction of the Rates Tribunal that any charge in operation on the fourth day of August, nineteen hundred and fourteen"—that would apply only to an agreement that had been made for a very extended period and was in operation then—"and fixed under any subsisting agreement or special statutory provision was originally so fixed for valuable consideration"—there might be some difficulty in the way having regard to those words—"the Rates Tribunal shall, and in any other case may, by order continue the charge, subject to such adjustment." It may be that if any persons have agreements which were in operation in 1914 and which are for a very extended period they might apply under that, but I do not think myself that Section 34 will be of much assistance. I want to be quite frank upon this matter, because from my instructions so far as we have been able to ascertain what these agreements are they are mostly terminable at short notice; therefore it is very questionable whether they would have any rights under Section 34; but however that may be you cannot, I submit, consider these matters when you are discussing the question as to what the maximum charge should be.

**President:** The question as to what the form of the Schedule should be?

**Mr. Bruce Thomas:** What the form of the Schedule for the standard charges should be.

**Mr. Jepson:** At the same time I understand, and no doubt the people interested also will understand, it is not the railway companies' policy to do away with special terms in these cases where special terms are required in the future any more than in the past.

**Mr. Bruce Thomas:** Oh no. In what I have already said I intended to embrace such arrangements as those that I have just been referring to.

**Mr. Jepson:** That seems to me to clear the air very much, while at the same time you do not pin yourself as to the actual quantum of the special arrangement; it may go up in ratio as the workmen's fares go up, for instance.

**Mr. Bruce Thomas:** Yes.

**Mr. Jepson:** But as an exceptional arrangement it is not intended by the railway companies that that shall be abolished, and all these things shall be brought up to the standard.

**Mr. Bruce Thomas:** Quite so.

**Mr. Jepson:** There may be anomalies to be adjusted and irregularities to be done away with, and so on; but, generally speaking, where there has been a reason for giving this exceptional treatment in the past such exceptional treatment will be given in the future.

**Mr. Bruce Thomas:** Yes; I am instructed that that is the intention of the railway companies.

**Mr. Jepson:** I think that clears the air very much.

**Mr. Bruce Thomas:** It is their intention that those special arrangements should continue in the future where the circumstances which gave rise to the granting of those special fares still exist.

Then the second objection is one lodged by the National Federation for the Promotion of Cheap Transit, and the grounds of their objection to the form of the Schedule for the conveyance of workmen are (1) The form of the heading: they, first of all, object to the form of the heading which limits the Schedule to those cases where workmen's tickets are from time to time issued. A railway company is, of course, not under any obligation to issue workmen's tickets, or to provide workmen's trains between all stations; their obligation is to give proper facilities to issue workmen's tickets, and possibly to put on workmen's trains where there is a real demand for such services. That is an obligation that can be enforced under the Cheap Trains Act. Of course, there are some special cases where Parliament has made provision that particular trains shall be run between certain points, and therefore in the heading of our proposals we do not say anything about workmen's trains, because at least in London, and I have no doubt in other places, workmen's tickets are available by all trains between certain hours. They are not workmen's trains, but the workmen's tickets are issued, and they are available by the ordinary trains. Therefore, in our heading we do not say: "These are our proposals in respect of the form of Schedule of charges for conveyance of workmen by workmen's trains," but we say "For the conveyance of workmen where workmen's tickets are from time to time issued." The suggestion of the National Association for the Promotion of Cheap Transit is that those words should be struck out. It seems to us that it is quite unnecessary and inadvisable to strike those words out. It states clearly in what circumstances the Schedule will operate, and if those words are deleted it would rather look as if we were being put under an obligation by this Court to issue workmen's tickets between all points. That is a thing, first of all, that this Court would have no jurisdiction to order, and, secondly, even if it had, I am sure it would not do it without going into the circumstances very closely indeed.

**Mr. Jepson:** If you left those words out it would not only make it generally applicable to all railways everywhere, but to all times of the day, would it not?

**Mr. Bruce Thomas:** Yes.

**Mr. Jepson:** I am not quite sure that your heading covers the point during the times that the workmen's tickets are issued as well as between the places.

**Mr. Bruce Thomas:** I think it does, does it not?

**Mr. Jepson:** It just occurred to me when you were speaking whether the heading was sufficient to cover that. It certainly is where workmen's tickets are from time to time issued, but the case has often been before this Tribunal, Enfield and London, for example: workmen's tickets are issued between Enfield and London, but only up to 8 o'clock or 8.30, or whatever the time is in the morning. Supposing

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somebody comes along at 2 o'clock and says: These are points between which workmen's tickets are issued; I want a workman's ticket."

Mr. Bruce Thomas: I do not think those proposals would give them any right to it, because the answer would be: "Well, workmen's tickets are not now issued."

Mr. Jepson: "Where workmen's tickets are from time to time issued." They are from time to time issued between Enfield and London. It might raise a difficulty. It seems to me it wants to be qualified, not only by stating between where the workmen's tickets are from time to time issued, but by "and subject to such limitations," or something of that kind.

Mr. Bruce Thomas: Of course, the intention is that this should state what the maximum is in cases where workmen's tickets are issued.

Mr. Jepson: Yes.

President: Mr. Jepson is afraid you will be cut out by the heading and have to do something more than you usually do; that is Mr. Jepson's point, I think?

Mr. Jepson: Yes. I was only trying to safeguard the position. I know the position ought to be safeguarded, and it seemed to me that it was not safeguarded.

Mr. Bruce Thomas: I am much obliged to Mr. Jepson. Of course, we will look at that a little more closely now after what you have said, but just for the moment seeking to maintain the words—they may want to be amplified a little—and to deal with the proposal of the National Association for the Promotion of Cheap Transit to stop in the heading at "workmen," it seems to me that it would be quite wrong, if I may say so, to do that, because then anybody who picked up this Schedule would look at it and say: "Now, I am a workman; the railway company cannot charge me more than you set out in this Schedule." That would be misleading; it would not be the position. The railway company will not be able to charge more than is in the Schedule if they are issuing workmen's tickets.

Then they ask that the fractions of one-third and two-thirds of a mile should be deleted, and that the limit of 60 lbs. in the last paragraph of the proposal should also be deleted. I have given you the reasons why we have adopted those particular breaks; they appear to us to be the most appropriate breaks.

President: What would be the other alternative if you took them out? I do not quite see what the charging proposition is—that if it was over one mile you should then charge for two miles? I do not quite see how the National Association's plan works out exactly.

Mr. Bruce Thomas: Well we shall probably hear that from their representative who is here.

Then I have nothing more to say about the 60 lbs. weight of tools.

Then we come to the objection of the London County Council. They propose a new Schedule altogether, and they head their new Schedule in this way: "Form of Schedule of charges for the conveyance of workmen by workmen's trains." I have no doubt they would wish to amend that. They would not want, even if their form of Schedule were adopted, that it should go forth with that heading, because as I have already pointed out the workmen mainly travel by ordinary trains and not by workmen's trains. That is one of the reasons why we have adopted the particular heading that we have.

Then they propose that the form should run in this way: "For each return journey where the single journey does not exceed blank miles the charge should be blank per cent. of the ordinary third-class fare between the same points." It is not clear to us what they mean by that proposal. They do not say whether it is blank per cent. of the third-class single fare, or the third-class return fare. They say: "Blank per cent. of the ordinary third-class fare between the same points."

Mr. Stafford Cripps: That is intended to be the single fare. We were under the impression that the ordinary third-class fare was the single and not the return fare. However, if it is any help to you to put in the word "single" I have no objection.

President: Your proposition under that head would be that the workmen's fare for the return journey would be a percentage of the single third class fare.

Mr. Stafford Cripps: Yes. Of course, it might be 100 or 150 per cent., or anything that comes to be settled later.

President: That clears it up as far as the explanation of the language is concerned, does it?

Mr. Bruce Thomas: Not quite. Then it would be "for each return journey where the single fare does not exceed blank miles blank per cent," I take it, of the standard third class fare.

Mr. Stafford Cripps: No, the ordinary third class fare—not the standard.

Mr. Bruce Thomas: I see. That proposal at once would make the Schedule one which would operate quite differently in different parts of the country. It would not be a uniform scale throughout the country, this is, the maximum would vary in different parts of the country. I submit it is clear that the intention is that all these standard charges should be uniform, if it is practicable to make them uniform.

President: Sometimes you might have the standard fare, and sometimes you might have the ordinary fare.

Mr. Bruce Thomas: Yes. Moreover, nobody could take up the Schedule and say what the maximum was. It would be fixing a maximum by reference to something else.

President: At the same time, the man on the spot might be able to fix it, because he would see the ordinary fare at the station.

Mr. Bruce Thomas: Yes, but he will not have in one document what the maximum charges of the railway company are. You would have this position, that suppose between London and a point eight miles North of London there are ordinary passenger fares in operation which are less than the standard fares; they may be in operation because there is bus competition, and so forth; under the County Council proposal the maximum workman's fare would be a fare based on a percentage of that exceptional ordinary fare. Take a point in another direction but the same distance from London; the maximum fare there where there is no exceptional fare in operation would be quite different, because in that case it would be a percentage of the standard fare. It is certainly, I submit, not the intention of the Railways Act that the standard fares should vary all over the country. Certainly the strong hope expressed by the Rates Advisory Committee was that a very considerable measure of uniformity would be attained. Now the proposal of the County Council is that you should have no uniformity at all with respect to the maximum fares for the conveyance of workmen.

Mr. Locket: You would have uniformity of a different class, would you not? There would be uniformity, but it would be a totally different class of uniformity from what you are proposing.

Mr. Bruce Thomas: That is quite correct, if I may say so, but you would not have the sort of uniformity that has always been contemplated in connection with standard charges.

Mr. Locket: Quite so.

Mr. Bruce Thomas: The idea of standard charges, as I have always understood it, has been that your should have a document, and anyone could see by looking at that document, without reference to the particular points of conveyance or carriage, what the standard charge is. The only thing you have to know is the distances between the two points that you wish to travel or send goods.

President: Does not the same sort of objection apply in any case where you have ordinary fares in some parts of the country and standard fares in the other parts. The proposal of the London County



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Council will take advantage of an existing variation in certain places between the standard and the ordinary.

*Mr. Bruce Thomas:* Yes.

*President:* Very well. If those variations exist in the standard and ordinary for ordinary passenger fares, it is only putting one more variation on to make it also apply to the workmen. I am only trying to test it. You see, it makes the standard more or less useless. I quite see what you mean that anybody taking up the schedule would be able to see what the standard was.

*Mr. Bruce Thomas:* Yes.

*President:* But is not that the case with ordinary passenger fares if in some parts of the country there will be ordinary fares and in others standard fares?

*Mr. Bruce Thomas:* No. You can always tell what the standard is. If you turn to the schedule, the form of which has already been settled, you can always tell what the highest charge of the railway company is.

*President:* It is a different kind of standard you say that Mr. Cripps is suggesting.

*Mr. Jepson:* It is not a standard at all, is it? Supposing this passed into law and had the force of a statute, and anybody went to the document afterwards they could not for the life of them tell what was the standard fare for each workman. They would have to go and see what the ordinary fare was.

*Mr. Bruce Thomas:* It is a standard that is going to be based upon exceptions, and I submit that that is wrong.

*Mr. Jepson:* It may vary from day to day according as the ordinary fare may be varied.

*Mr. Bruce Thomas:* Yes, and all sorts of questions might arise as to what the ordinary fare is. I might say that the phrase "ordinary fare" does not appear in the Railways Act—at least, it does appear in one place, but what it really means I do not know; and to pick out that phrase and use it as the basis for regulating the maximum charge for workmen's fares is, I submit, highly undesirable and wrong in principle, because on the one hand this Court has already fixed the form of the schedule of standard charges for ordinary passenger fares, that is, the maximum. We know very well that there will be innumerable exceptions below those maxima. When you are fixing the workmen's fares—the standard, the maximum—I submit that the proper principle to proceed upon is to make it, if we are going to adopt this percentage business, the counterpart of the other maximum.

*President:* To do for the workmen what you have done for the ordinary traveller—set up another standard. That is your point.

*Mr. Bruce Thomas:* Yes.

*President:* And not use the old standard of the passenger and apply it to the workman; you would not have a separate standard then for the workmen. Mr. Cripps adopts the passenger standard, so to speak, and then he works on the passenger standard, and creates out of the ordinary passenger standard a workmen's standard. You say that is wrong.

*Mr. Bruce Thomas:* Yes. The suggestion is that wherever there are circumstances which have tended to produce for ordinary passengers a fare lower than the standard, then the workman is entitled to have a proportionately lower fare. I say that is not right. The workman is entitled to have a lower standard than the ordinary passenger fare standard, but whether he is entitled to have anything lower than that depends upon the circumstances of his particular case, and not the circumstances of other passengers.

*Mr. Locket:* I was going to ask whether it does not appear as if Mr. Cripps had adopted a suggestion which was put forward by the railway companies themselves, because I see in the Report of the Rates Advisory Committee they say: "The proposal put forward by the railway companies was that workmen's fares should be fixed for the double journey at the third class fare charged for the single journey over the same route." There is the principle, it seems to

me, underlying Mr. Cripps' proposal, and it appears to have been put forward by the railway companies themselves.

*Mr. Bruce Thomas:* That is quite correct, and if you were to substitute for "ordinary fare standard" the "third class fare"—

*Mr. Locket:* But it goes on, and perhaps I ought to have finished it: "This being in effect that they shall pay half the ordinary third class fare for the same journey." That probably is the interpretation of the Rates Advisory Committee.

*Mr. Bruce Thomas:* But one must remember this, that in those days one was using "ordinary fare" in possibly a different sense. Now there is this new phrase "standard fare." In speaking of ordinary fare there it meant whatever the fare was—a penny a mile or the equivalent of what would be the ordinary fare.

*Mr. Stafford Cripps:* That is not so. I can show you passages in the evidence which say that the ordinary fare means the actual fare charged between the stations, as Mr. Locket suggested.

*President:* Probably that is so, but Mr. Bruce Thomas is saying that the terminology of "standard" has come in since; that is your point, is it not?

*Mr. Bruce Thomas:* That is the point I was making.

*President:* And it is part of the machinery for administering the 1921 Act.

*Mr. Stafford Cripps:* I was only interrupting because he said in that Report the term "ordinary" was used as meaning practically a standard fare of a penny a mile or so; it is not; it is used as meaning the actual charge between the two points.

*Mr. Locket:* Yes, but of course we must not lose sight of the fact that the Act was passed since that Report was issued.

*Mr. Stafford Cripps:* It is only the sense in which the word is used in the Report.

*Mr. Locket:* Therefore, in the Act we have to deal with "standard."

*Mr. Jepson:* You must not lose sight of the fact that the railway companies in submitting these proposals must be assumed to have considered the question whether it was to be single fare for the double journey, which would have brought out all the difficulties that Mr. Bruce Thomas has been putting before us now; really there would have been no standard at all. Supposing they had said: "The standard shall be single fare for the double journey," all the same difficulties surround that. It must be assumed that they have considered that, and have put these proposals forward so as to create a real standard.

*Mr. Stafford Cripps:* Quite clearly; they have entirely changed their point of view.

*President:* I do not think we need say that for the moment, and I have followed from Mr. Bruce Thomas' remarks that, assuming "ordinary" had been turned into "standard" in the County Council proposals, he would not have had the same objection that he has now.

*Mr. Bruce Thomas:* No. I would object to it on the ground of convenience, because I think it is better to put in a penny or twopenny or threepenny than, say, a certain percentage of an unknown figure or a certain percentage of a figure that you have to ascertain from another document. If you have a standard then the need for setting out in the form of a percentage goes, because the standard is settled, and therefore it would be much more convenient to put in the actual money.

*President:* You mean when the standard is filled in with quantum it is half or whatever percentage it may be, instead of repeating it in language and making it a calculation.

*Mr. Bruce Thomas:* Quite; that would be my suggestion.

*President:* Even if it was "standard third class," or whatever it was, you would say still: "I do not like the form of the schedule; I would rather in point of fact put in the actual figures of percentage."

*Mr. Bruce Thomas:* Yes; that is what I should suggest.



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*Mr. Stafford Cripps:* I do not quite follow, Sir. Did you suggest that the figures of percentage should be given?

*President:* What Mr. Thomas was saying was this: I put it to him that his difficulties might be somewhat removed if "standard" was inserted. Then he said: "That would not altogether remove my objections. I should then have an objection to the form of the schedule, because I think it would be better to put in actual figures than to put in a reference to another schedule, which would involve a calculation"; is not that right?

*Mr. Bruce Thomas:* That is correct.

*Mr. Stafford Cripps:* I thought you said you would be more satisfied if definite figures were given for the percentage.

*President:* No, I do not think so.

*Mr. Jepson:* "Representing the percentage."

*President:* I was not expressing any view of my own; I was only trying to follow out what Mr. Bruce Thomas' argument was at the time.

*Mr. Bruce Thomas:* There are two other points I wish to draw attention to. First of all, there is the question of luggage.

*Mr. Jepson:* Before you get to that, I should like you to make quite clear what the railway companies' view is (I think you have touched upon it) with regard to these workmen's fares in the difficulty of applying the ordinary fare. Quite apart from the question that it does not provide a standard that anybody can see is a standard, it seemed to be put as high as this, that the circumstances which may involve a reduction in the ordinary third class single fare between two points might make it unfair to apply that as the basis of workmen's fares; it might be unduly reducing the fare to the workman.

*Mr. Bruce Thomas:* I did put that. Perhaps I did not make it clear, but what I said was this, that in future there will be workmen's fares which are below the standard, and I say that the justification for that lower fare will have to be based upon the circumstances of the workman's case, and the justification for a reduction in the ordinary passenger fare will have to be based upon the circumstances of his travel, and that it is not right, and it would not be right in our submission always to grant the workman a lower fare than the standard because some other body of persons had shown circumstances which made it necessary to give them a lower fare than their standard. That, I suggest, would be proceeding upon a wrong principle. It might have a deterrent effect upon the railway companies in giving lower fares to ordinary passengers. After all, the County Council are not only interested in people who travel by the ordinary trains and pay the ordinary fare; but it is quite conceivable that where a railway company feels that it can properly give a reduction in the ordinary fare, if that is to be followed automatically by a reduction in the workmen's fare it might act as a deterrent; I do not say that it would, but one could conceive circumstances in which it might. I wish rather to put it upon the point of principle that I have already stated, that it is not right in our submission that a lower workmen's fare should be given because circumstances have shown that it is desirable to give ordinary passengers a lower fare than their standard.

If you will look at the County Council objection (I am leaving for the moment the question of the luggage and the weekly tickets) you will see there is this note: "N.B.—The form of the schedule to be prescribed on the basis that the mileage be divided in zones and that the percentage of the ordinary third-class fare decrease with the increase of mileage. The objectors submit that the actual figures in respect of both the above matters should be settled at the quantum stage." You see, their proposal as not for an ordinary mileage schedule, but there they ask you to fix a minimum in zones. I submit again that that is not right in principle. It is contrary certainly to the spirit and, I submit, the intention

of the Railways Act. The idea is again to have uniform mileage rates, and that is what we are proposing. Charging by zones is a matter, I submit, which comes under a later section, Section 41, by which the railway company may charge in that way subject to reporting to the Minister, and those are exceptional fares. Now the County Council suggest that the maximum should be based upon this system of zones that we find in operation in many places.

*Mr. Jepson:* Let us test that for a moment. One can imagine that the objection of the London County Council has been drawn up with reference to London only.

*Mr. Bruce Thomas:* Yes.

*Mr. Jepson:* And while it might be reasonable and may be reasonable in the future at the instance of the railway companies to adopt something in the nature of zone fares for workmen, yet the proposals of the railway company, of course, are for the whole country. One cannot imagine that supposing the zone principle were adopted as a standard, the zone which would be available around Coventry would be acceptable to the London people.

*Mr. Stafford Cripps:* May I explain one thing—I think perhaps it is my fault—with regard to the misuse of the word "zone" here? This is not a true zone system in the sense in which Mr. Jepson is speaking of it, because the zoning is only applied to the percentages. It is a percentage of the 60 per cent. and from 4 to 6 miles you would have 60 per cent. and from 4 to 6 miles you would have 55 per cent., so you would still have 55 per cent. of the ordinary fare and would not have a fixed fare for the 4 to 6 miles. If the ordinary fare varied you would get a variation of the workmen's fare as well.

*Mr. Jepson:* Supposing this principle were adopted and the railway companies, having to legislate for the whole of the Kingdom and not particularly for London, were to take Coventry, for instance, as their basis for the charge for workmen—so many miles outside Coventry so much, and so many miles further so much—do you think such a principle as that would be acceptable to London?

*Mr. Stafford Cripps:* Quite. I think this would be a scheme which would work universally, because what in fact you would find is that the ordinary third-class fares outside Coventry would probably be the standard. The ordinary third-class fares outside London where you would expect cheap workmen's fares would be below the standard of workmen's fares, would also be lower by reason of the application of this principle.

*Mr. Jepson:* Yes.

*President:* It would be zone as far as price is concerned.

*Mr. Stafford Cripps:* It only zones the percentage, not the actual price.

*Mr. Bruce Thomas:* The percentage would vary for 2 or 4 or 6 miles, but you would have a scale of 1 to 7 miles, and so forth.

*Mr. Stafford Cripps:* No; you would have a scale of zones, 1 to 3 and 3 to 5, and so on. It is only the percentage. The actual price of the ticket would not come out as constant for the zone. It is not a zone in the sense that there would be a 4d. ticket for 6 to 8 miles.

*President:* No, but the percentage would be zoned.

*Mr. Stafford Cripps:* Yes; the percentage would. I rather thought it was being discussed in the ordinary sense in which it is used.

*Mr. Jepson:* It is only a percentage zone; that is all. It is not a zonal fare; it is only a zonal percentage of the ordinary fare.

*Mr. Bruce Thomas:* There are only two other objections on this point raised by the County Council. They ask that a workman should be allowed to carry with him 100 lbs. of luggage. I do not know whether that would help the workman very much. His luggage, as we know, does not include tools.

*Mr. Stafford Cripps:* That was intended not as ordinary luggage in the sense of ordinary passengers'

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luggage, but as luggage including tools. It is not the ordinary passengers' luggage as used in the passenger schedule.

*Mr. Bruce Thomas:* We have nothing further to say upon that. We think that 60 lbs. is a reasonable and proper allowance to make.

*President:* It is really tools, is it not, Mr. Cripps? You do not want him to take his luggage and bring his luggage back every night; you want him to take his tools?

*Mr. Stafford Cripps:* I only want him to have the same advantages. He wants to be able to take his tools and also luggage if necessary. I presume the

cases in which luggage would be taken would be a very small number; it is really tools, principally.

*President:* Tools, of course.

*Mr. Bruce Thomas:* Then with regard to the issue of weekly tickets, we had proposed nothing in respect of that, and we suggest that nothing should appear in the schedule, but if anything does appear in the schedule we certainly suggest that weekly tickets should be issued at the price of six daily tickets, which is the ordinary practice to-day.

I think those are all the objections that there are with regard to workmen's tickets, and I propose now to call Mr. Cox to give some evidence shortly upon the proposals.

MR. EDWIN CHARLES COX, SWORN.

Examined by MR. BRUCE THOMAS.

1. You are the Superintendent of the Line of the Southern Railway, the South-Eastern and Chatham Section?—Yes.

2. And you, in conjunction with the Superintendents of the other railway companies, have produced this scale that is now being put forward?—Yes.

3. The intention is that this scale should be the standard scale applicable throughout the Kingdom?—Yes.

4. It is founded upon the recommendation of the Rates Advisory Committee in 1920, is it not?—That is so.

5. A recommendation which was adopted by the Minister of Transport, and which you were directed to conform to?—Yes.

6. The recommendation and the direction created a minimum charge of 3d. and a minimum distance of two miles?—Yes.

7. In your proposals you are not seeking to maintain either a minimum charge or a minimum distance, and it follows from that that you will not seek hereafter to maintain a minimum charge?—No. Under our proposal the minimum charge automatically disappears, because we want to provide for a large quantity of short-distance traffic under two miles.

8. *President:* Do you say you have a good deal of this short distance traffic?—Yes. Some of the railways have a good deal of this short distance traffic.

9. So you are giving up your minimum?—The minimum goes automatically.

10. *Mr. Jepson:* Have you got any particulars, because when we were dealing with the Grays Thurrock case the other day Mr. Pike gave some evidence about short distance workmen's tickets—I think it was a question of a mile and half there—and we could not get any information. We thought there was very little of this short distance traffic for workmen?—No. The Midland Railway raises this question, and ask for it to be included; I have not any definite particulars before me.

11. *President:* Ask for what to be included?—The short distance traffic below two miles.

12. They ask for the minimum to be abolished?—Well, they did not put it in that way. They asked that we would make provision for one mile, a mile and a third, and a mile and two-thirds, which automatically abolishes the minimum.

13. *Mr. Jepson:* Looking at it from the point of view of the Cheap Trains Act, one can imagine the intention of the Legislature, however it may be expressed in the Act, was to enable workmen to get cheaply to and from their work?—Yes.

14. One would not imagine that the Legislature would attempt to provide for people who practically live on the spot, and I should say that a man who lives within a mile or a mile and a-half from his work is living on the spot; he does not want special facilities to enable him to travel to and from his work if he only lives a mile and a-half or two miles away?—Exactly.

15. That is the reason I raised the question the other day as to whether there really was any great volume of workmen's traffic at those short distances?—No. We have a fair quantity at the minimum

charge of 3d., but we have none that we could apply workmen's tickets to below that. The cases that were introduced to use were by the Midland Company, and they ask that provision should be made for this very short distance traffic.

16. The information, so far as you know, may have been from the Gray's and Tilbury information?—It may have been, yes.

*Mr. Jepson:* That I am told was two miles, or just under two miles.

17. *Mr. Stafford Cripps:* I do not know whether I can help at all. I have got some figures here with regard to the workmen's fares to all the London termini, and the only one I can see between one and two miles is from Charing Cross to London Bridge?—There would be no traffic there, of course.

*Mr. Stafford Cripps:* Exactly, but it is a workman's fare. I see also from St. Pancras to Kentish Town; those are the only two that I have any record of. I have a record here of all the London ones, and those are the only two I can see.

*Mr. Jepson:* You do not suggest that special provision should be made for workmen for two miles?

*Mr. Stafford Cripps:* No; we are not suggesting anything of the sort.

*Mr. Bruce Thomas:* This is the proposal we have put forward, and it naturally has not met with any opposition.

*President:* There does not seem to be so much in it as appeared at first sight. There does not seem to be much two miles' traffic; if there was, no doubt it would be a substantial consideration.

*Mr. Bruce Thomas:* In the only case I think that has been before this Court on the question of workmen's fares the minimum was, I think, the vital question.

*President:* It was made the vital question.

*Mr. Bruce Thomas:* It was at that time the vital question from our point of view, and it was the one thing that at that time stood in the way of our giving the relief which the Court ultimately gave.

18. Have you and the other superintendents in considering this Schedule come to the conclusion that the breaks that are proposed are the most suitable?—Yes, we think so. We base that on our experience since the scale has been in operation from September, 1920; it has worked quite satisfactorily, and we think it would be a pity to depart from it.

19. I think you gave evidence before the Rates Advisory Committee on the occasion when they were considering their Report upon this subject?—Yes.

20. You remember this Report was made for the purpose of the interim revision?—Yes, certainly.

*Mr. Jepson:* This was no part of the Report as regards the principles.

*Mr. Bruce Thomas:* No, it was the interim revision, but still that scale has been operated for the past three years, and the railway companies have had some experience of it.

21. *Mr. Jepson:* And it does represent to a large extent the figures that were found in operation at the time when control ended, and which, of course, the railway companies are entitled to charge to-day.—And are charging to-day.

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Mr. EDWIN CHARLES COX.

[Continued.]

22. Mr. Bruce Thomas: With some exceptions?—With some exceptions, of course.

23. Now I want to turn to the objection that is made by the National Association for the Promotion of Cheap Transit; we know that they are objecting first of all to the heading?—Yes.

24. Is there anything that you have to add to what I told the Court when I was addressing them?—No, I think you put it quite clearly. There is no justification for the issue of workmen's tickets universally. Workmen's tickets are introduced wherever there is any justification for them.

25. The railway companies wish to make it clear that this Schedule of charges will only operate in cases when workmen's tickets are being issued?—Yes, in cases where workmen's tickets are issued, and there will always be conditions that will govern the hours during which they are issued, and other things in connection with them.

26. Then they again object to the fractions of one-third and two-thirds of a mile though they do not state what they wish in their place?—That is so.

27. So that you can hardly criticise that, but you do seek to maintain the three breaks per mile up to the end of the fourth mile, and then two breaks per mile after that?—Yes, we think it will be in the interests of the workmen; it treats every man the same.

28. The limit of free weight allowance of tools is 60 lbs. to-day on most railways, is it not?—Yes, 50 lbs. or 60 lbs.

29. In your view is that a sufficient allowance for a workman for ordinary tools?—Ample. It is very rarely that a workman is found going from home in the morning with 60 lbs. of tools on his back—very rare indeed.

30. Is it a common occurrence that something other than tools is taken under the guise of tools?—I have no actual evidence of it.

31. Very well, then, we will not pursue that. When you say "No actual evidence" have you no information about it?—I have no cases to cite, but we have a very strong feeling—

32. Well, I do not think we will have the strong feeling. Now with regard to the County Council objection about the heading, you have nothing to say except to point out that that would be rather a restriction than anything else if that form of heading were adopted?—Certainly.

33. Workmen's trains?—Yes.

34. It is not your intention that the railway companies' scale should be limited to workmen's trains?—Oh no.

35. It was not clear, until Mr. Cripps told us this morning, what the County Council proposal quite meant. We did not know whether by "ordinary third class fare" they meant single or return?—No.

36. Of course, that is important, because totally different considerations arise where you take a third class return fare which may be less than the two single fares?—Yes.

37. What have you got to say with regard to the proposal that the standard workmen's fare should be based upon a percentage not of the standard ordinary fare, but of the ordinary fare that happens to be in operation between given points?—I think it would be much fairer if the workmen's fare is kept separate from the ordinary fare. The ordinary fare is based on mileage graduations, and I think the workmen's fare should be based on the same.

Cross-examined by

51. You remember perhaps in the Report of the Rates Advisory Committee that this passage appears. After setting out the scale they say: "We are of opinion that the above figures should be adopted for the present, but that gradually these fares should be brought up to such a level as shall be dictated by public policy" ?—Yes.

52. I want to ask you what, from the point of view of the railway company, are the matters of public policy that affects these fares. When the Superinten-

38. Do you see any reason, in cases where a reduction has been given to passengers travelling at the hours that workmen do not travel, why, as a matter of course, a proportionate reduction should be given in workmen's fares which are used at different hours?—No, not at all.

39. That would be the result of accepting the proposal of the County Council, would it not?—Yes. There might be cases where it would be necessary to reduce the ordinary fare below the standard, but it would not follow that it would also be necessary to reduce the workmen's fare at the same time; whilst there would be cases, as you instanced this morning, where the workmen's fare on account of peculiar conditions would be below the standard, but there would be no justification for reducing the ordinary fare below the standard.

40. Mr. Jepson: As a general principle to-day are workmen's fares based with any relation whatever to ordinary fares?—No; they are on this scale.

41. Then there is no relation to-day between ordinary fares and workmen's fares?—No.

42. One knows, and of course it came out before us in evidence the other day, that workmen's fares were varying from 2d. to 5d., whereas the ordinary fare was up to 10d. and 1s.; there was no relation whatever?—Excepting this, that on the 1st January last, when the ordinary fares were reduced, no workmen's fare was allowed to be above the single fare for the double journey; so that in those cases they come below the standard.

43. That was the limitation?—Yes.

44. President: You gave us some tables I remember on a previous occasion, and you took the single fare as what you called for the time being the standard, and you showed that perhaps 52 per cent. was at the standard and 48 per cent. below it, and that sort of thing?—Yes.

45. But you gave us nothing above. In that sense there was a relation between the two?—Yes.

46. Mr. Jepson: Have you had to reduce many of your ordinary fares for short distances on the South Eastern and Chatham Railway to meet road competition?—No, not the ordinary fares.

47. Did the Brighton Company when they electrified their line? Of course, before they electrified their line they had standards for short distances to Wands- worth, Tooting, and Streatham, but those places were practically shut up for a time. When they electrified the line did they reduce the fares?—Yes, they did.

48. Do you think because they reduced the fares with the electrified service that necessarily the workmen's fares should come down in a case like that?—No, and to the best of my recollection—it is some years ago now of course—the workmen's tickets were not reduced at that time.

49. No, I should think not. I only wanted to get one or two concrete illustrations if I could, to show what appears to me at the moment rather an extreme suggestion of the County Council—to base these workmen's fares on ordinary fares.—Well, it is difficult to see the advantage of it in any way.

50. President: On the other hand, there are some fares which are a much lower proportion than you would imagine of the ordinary fare. Have you not got a very cheap fare to Herne Hill for workmen?—No, not now; it is a standard now.

Mr. STAFFORD CRIPPS.

dents considered what form of schedule you should put before the Tribunal, what matters of public policy did you take into account?

Mr. Bruce Thomas: Excuse me, but this is entirely a question of the particular fare that is going to be charged that the Report is referring to: "We are of opinion that the above figures should be adopted for the present, but that gradually these fares should be brought up to such a level as shall be dictated by public policy".



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[Continued.]

*Mr. Stafford Cripps*: I do not mind whether I hang my question on that or not.

53. What questions of public policy did you take into consideration when you fixed this schedule?—The schedule does not take in public policy. Public policy comes in when you want to go below the schedule.

54. That is what I want to know. You took no question of public policy into consideration when you fixed the form of the schedule?—Except it were this, that it is referring to quantum again, I think I should be told—

55. I only want to know one way or the other? We had always had in our mind and we always stated here in 1920 that we considered the single fare for the double journey ought to be the basis for the workmen's fare; and it comes out quite clearly in the evidence before.

56. *Mr. Jepson*: The limitation you mean?—Yes.

*Mr. Stafford Cripps*: One minute, because our minds are not quite working together.

*President*: You are still on public policy?

*Mr. Stafford Cripps*: Yes.

*President*: And you want to ask that question about the schedule?

*Mr. Stafford Cripps*: Yes.

*President*: You will not ask it about the fares?

*Mr. Stafford Cripps*: No; I am not concerned about the fares at all.

*Mr. Jepson*: May I clear the way a bit. I happened to be on the Rates Advisory Committee all through this, and I will tell you what was in the mind of the Committee when they put those words in. They were very much pressed by the fact that workmen's fares were much too low, having regard to the altered status of the workmen in 1921 as compared with 1883, when the Cheap Trains Act was passed.

*Mr. Stafford Cripps*: I quite appreciate that.

*Mr. Jepson*: Through the operation of Trades Unions and the standardisation of wages and hours, and so on, the status of workmen had very much improved, and in the view of the Rates Advisory Committee the existing workmen's fares were too low. That was the reason why they suggested that workmen's fares should be put up at once 200 per cent., or not exceeding 200 per cent. What was in their minds was that gradually, as circumstances permitted, the fare should get up to something like the single fare for the double journey instead of these absurd fares of 2d., 3d., and 4d. that were in operation. That is what was in the minds of the Rates Advisory Committee, and led to these sentences being put in the Report. I thought it was fair to say that.

*Mr. Stafford Cripps*: I am very much obliged to you; I think I appreciated that on reading the Report, but what I was trying to get from Mr. Cox was, when the Superintendents met to consider the scheme that they should put before this Tribunal, what matters of public policy did they take into account in settling the form of the Schedule.

*President*: I do not want to interrupt, but perhaps they did not take in any questions of public policy.

*Mr. Stafford Cripps*: I am quite satisfied if I get that answer, but I want to know whether they did or not.

*President*: Might not you put it a little wider; what considerations did they take into account?

*Mr. Stafford Cripps*: It is the word I wanted, if I may use it, because I have a particular purpose in using it; it only happens that I saw it also in the Schedule.

*President*: Very well.

57. *Mr. Stafford Cripps (to the Witness)*: Did you take any matters of public policy into account?—No, we did not.

58. You did not take into account, for instance, housing?—Yes. We based our decisions on the fact that the workmen could not pay the ordinary fare. We considered what they could pay, and we decided that for the shorter journeys they should pay at a higher rate than for the longer journeys; that is pro-

vided for in the scale that was laid down by the Rates Advisory Committee, and it therefore met our views.

59. You see what I am trying to get at is the point of view from which you approached the settlement of this form of schedule, and I asked you whether you took into account any matters of public policy, a very important one of which is obviously housing, and I am not quite certain now. You have said you did take into account any matters of public policy.

*Mr. Bruce Thomas*: A difficulty arises there, if I might intervene for a moment. If my friend would ask what matters they took into consideration, then he could find out whether or not they did take any matters of public policy into consideration. My friend and Mr. Cox may not agree as to what matters are matters of public policy.

*President*: That is what I suggested as being the better course.

*Mr. Stafford Cripps*: I want to put the interpretation on to Mr. Cox and not on to myself of what public policy means.

*President*: He wants to ask the question in that particular form, and he has asked the question in that particular form; I dare say he will put to the Witness what things he thinks he ought to have taken into account.

60. *Mr. Stafford Cripps (to the Witness)*: You say you did take into consideration the question of housing?—I said, first of all, we did not take into consideration any question of public policy; we should take those into consideration when we were dealing with exceptions from the standard, not in fixing the standard.

61. So that you fix the standard irrespective of questions of public policy which you take into consideration when you come to make the exceptions?—Yes.

62. The scale which you propose is almost identical with the scale of the Rates Advisory Committee?—Yes.

63. That, being divided into one-third of a mile steps, necessitates practically, does it not, an increase of a halfpenny for each step of one-third of a mile?—It does actually.

64. I am talking about the form of the Schedule?—It lends itself to that quite conveniently.

65. There is no smaller unit that you use in railway work than a halfpenny?—No.

66. So that this Schedule foreshadows a minimum charge between one mile and four miles of 1½d. a mile return; that is correct, is it not?—If you read it in that way; you need not necessarily.

67. Well, how else would you?—It might be 1d., 2d., or 3d.

68. A minimum charge, I say, of 1½d.?—Why of 1½d.?

*Mr. Jepson*: Are not you getting on to quantum? At the bottom of the page it says "Fractions of one halfpenny to be charged as one halfpenny."

*Mr. Stafford Cripps*: The form in which this Schedule has been put before the Tribunal will necessitate the Tribunal, when it comes to consider the question of quantum, putting in a halfpenny for each third of a mile, and that will work out as a minimum of 1½d. for one mile.

*President*: Does Mr. Cox admit that?

*Mr. Stafford Cripps*: That is the great viciousness of this Schedule to our mind.

*President*: Ask him if he admits it.

69. *Mr. Stafford Cripps*: I will ask you again, does not the form of this Schedule being divided into steps of one-third of a mile foreshadow the insertion of a halfpenny increase for each step in mileage which will make it come out at 1½d. minimum return fare for one mile?—I do not think it foreshadows it, but it lends itself conveniently to it.

70. What other charge does it lend itself to?—3d.

71. Double that?—Yes.

72. I asked you as a minimum 1½d., you know. Does it lend itself to any charge of less than 1½d. per mile?—No, but it would have to be accommodated to that if the fare were lower than 1½d.

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[Continued.]

73. How could you accommodate this form of Schedule to something lower than the Schedule?—By rounding to the halfpenny.

74. I do not appreciate that.

75. *President*: By doing what?—By rounding to the halfpenny—making a farthing into a halfpenny.

76. *Mr. Stafford Cripps*: But a fraction of a halfpenny is to be considered as a halfpenny?—Yes.

77. So it is exactly the same as taking a halfpenny?—Yes.

78. So the minimum charge under this Schedule would be, in fact 1½d. for a mile?—No, not if the one mile were a penny.

79. I was speaking of where the steps are one-third of a mile. Let us take it, so that we do not have any misunderstanding, as the period between two and three miles?—Yes.

80. Is this Schedule adapted for the period between two or three miles being charged less than 1½d.?—No, that is the most convenient division.

81. Do you mind answering the question? Is it adapted to a less charge than 1½d. for that mile?—No, not conveniently.

82. Do you mind taking out the “not conveniently”; I should be much happier if you would say No.—All right.

83. That is the answer, is it not?—No?—Yes, quite.

84. So that by putting forward this form of Schedule you are binding the Tribunal, when they come to put in the figures, either to put them in at the rate of 1½d., or some multiple of 1½d., per mile?—Yes, and we consider that reasonable seeing that the ordinary fare is 1½d.

85. I am not questioning whether you consider it reasonable; I am only trying to get at what it means. You told the Tribunal that that scheme has been worked ever since September 1920?—Yes, I think it is September, 1920.

86. I want you just to look at the London & South Western Railway rates if you will. Do you mind looking at that document which is marked “F.H.4”? (*Document handed to Witness*). You see the first column contains the name of the station?—Yes.

87. The second column contains the distance from Waterloo?—Yes.

88. The third contains the pre-war rates, and the fourth the rates on the Advisory Committee's scale?—Yes.

89. The next one is the rate as increased on the 1st September, 1920—that is as in fact increased. The next one is as at present since the reduction of the 1st January, 1923, and the last column shows the excess of the fare on the Advisory Committee's scale over the present fare. I think you will probably recognise these as being the correct rates—anyway, I think I can prove them. I want you to notice that the rates as increased on the 1st September 1920, with the exception of the first seven rates, are all of them less than the Advisory Committee's rate; is not that correct?—With the exception of the first seven, yes.

90. And the rates as at present in force are, every one of them, less than the Advisory Committee's scale?—Yes.

91. So it is not really quite accurate to say that that scale has been in force ever since September, 1920?—It is generally, but there are many cases like this of exceptions where they are below. That was because the single fare was below the scale for the workmen.

92. I appreciate that. May I put it to you that out of the 496 workmen's fares in operation round London—other workmen's fares besides those you have before you—only 44 are in fact at the rate of the Rates Advisory Committee?.

93. It is round London more than anywhere else that the workmen's fares are below the Rates Advisory Committee's standard.

94. And the reason for that is that the ordinary third class fare is lower than the standard third class fare?—Yes, or was.

95. Have you a copy before you of the County Council proposals?—Yes.

96. The first question is a question with regard to the heading. In your heading you have got proposals for the form of Schedule for the conveyance of workmen where workmen's tickets are from time to time issued. If people travel by a train with workmen's tickets do not you call it a workmen's train?—No.

97. What is the definition of a workmen's train?—A workmen's train is a train that runs for workmen only.

98. I see; it is exclusively for workmen?—Yes.

99. That means to say that any train ordered under the Cheap Train Act ordinary passengers cannot travel by?—Yes, ordinary passengers can travel by it, but it is exclusively for workmen, and it is generally composed entirely of third class carriages.

100. How can it be exclusively for workmen and have ordinary passengers travelling by it?—There is nothing to prevent it.

101. I only want to know what you mean by “exclusively for workmen”?—I see; it is the word “exclusively”?.

102. Yes?—It is like an excursion train. It is very rarely indeed that a Company restricts an ordinary ticket-holding passenger from travelling by a train upon which the fare is cheaper than the ordinary fare.

103. You mean you can use it if you like, but it is provided in fact for workmen?—Yes. There are many cases where workmen's trains are run that are exclusively for workmen, because some of them do not start from stations, or do not arrive at stations, and they are composed of old stock that is kept specially for the purpose.

104. *Mr. Jepson*: You would have third class season ticket holders wanting to go up in the morning and they would travel up by workmen's train?—Yes, many market men do.

105. He would not be excluded because he did not have a workman's ticket?—Oh no.

*Mr. Stafford Cripps*: I do not think there is any question of principle between us; it is only a matter of convenience. The reason why we put in this term, “workmen by workmen's train” was twofold; first of all, it is the phrase that was used throughout the judgment of this Tribunal when they were considering the question of Schedule or not, and secondly, it is the phrase used in the Cheap Trains Act, which is rather important, because if the Cheap Trains Act still survives, with power to the Ministry of Transport to order a workmen's train, these rates would then automatically apply provided they are the rates which apply to workmen's trains; otherwise they would not automatically apply, and we thought that that was a convenient way of linking it up with the Cheap Trains Act.

106. *Mr. Jepson*: Have you looked at columns 4 and 5? The first one is the Rates Advisory Committee's scale, and the second one is as increased on the 1st September, 1920. I think the direction of the Minister of Transport given on the basis of the Rates Advisory Committee's Report was a direction to the Railway Companies to charge these fares?—Yes, but they were not to increase the existing workmen's fares by more than 200 per cent., or 2s. 6d. a week, and they even kept them below the scale.

107. That was a point that was put in specially by the Minister of Transport, or by the Government?—Well, the second was.

108. That limitation was put in?—I think the Rates Advisory Committee put in the limitation of 200 per cent., but I think the Minister of Transport put in “2s. 6d. per week.”

*Mr. Stafford Cripps*: Yes, 4d. a day.

109. *Mr. Jepson*: That accounts for the difference between those columns?—That accounts for the South Western not charging the full fare to which they were entitled under the scale.

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[Continued.]

*Mr. Stafford Cripps:* You will see that if you compare column 3 with column 5, you will see they are all increased *ad. after* that point.

110. *Mr. Jepson:* That did vary what Mr. Cox told me, that the rates recommended by the Rates Advisory Committee were those which the railway companies were entitled to charge after the period of control, and right up to the appointed day; of course, that qualification should have been made. There is that limitation of 2s. 6d. per week on these workmen's fares?—Yes.

111. *Mr. Stafford Cripps:* That is so, and the second qualification that they were reduced on the 1st January, 1923?—Yes.

112. *Mr. Cripps:* With regard to the question of housing. I do not want to ask any questions about the housing difficulty because you are not, perhaps, an expert on that; but is it not a fact that if you are to supply adequate housing outside the big towns you must have a mileage rate which tapers as you get further away?—Oh, yes.

113. And, therefore, if you consider this form of schedule from the point of view of housing—I want you to put out of your mind for the moment the railway companies and all their interests—you must in fact have a tapering mileage rate?—Yes; and that is given.

114. And the more it tapers the more advantageous it is for housing?—Undoubtedly.

*Mr. Jepson:* You are referring now more particularly to workmen's fares?

*Mr. Cripps:* Yes.

*Mr. Jepson:* You are not applying the same principles to ordinary third class fares?

*Mr. Cripps:* No; because they do not apply for residential purposes.

*Mr. Jepson:* I am only judging what you are saying by your proposal now.

*Mr. Cripps:* You notice that the percentage tapers—which is the point to which I am addressing my mind—as you get further away. Therefore if you are going to base your workmen's fares either on a standard third class or on an ordinary third class fare from a housing point of view it would be advantageous to taper your percentages as you get further away from your working centre?

*Witness:* No, I do not think so at all.

115. Why?—Because such case of that kind should be dealt with on its merits. You do not get a housing scheme going on continuously mile after mile, mile after mile; you get certain places springing up in a given district and you have to provide for that district specially as an exception to the standard.

116. Then you do not agree with what Sir Henry Thornton said before the Rates Advisory Committee that having exceptional fares, so that you concentrated your population in isolated housing districts, was very disadvantageous?—It is. But I am afraid you cannot get over it; it has happened.

*President:* Disadvantageous to what—to the housing or to the railway?

*Mr. Cripps:* To the housing, and also to the railway because it leads to congested districts here and there with uninhabited districts between them.

*Witness:* Naturally the railway companies would like to see the traffic spread all along the line, but it does not spread like that.

117. One way would be to have a tapering rate all over the line?—No.

118. Why?—Because some districts are not suitable for housing schemes; they are not places which would attract people. In other places there are embargoes on the land, that people should not build.

119. I will deal with that by our housing witness. But for such districts where there are no embargoes on the land and where they are suitable for housing, it would be advantageous to the railway company to have a tapering rate so as to distribute the population as far as possible uniformly all along the line?—If that would do it; but we do not think it would.

120. Do you think that would help to do it?—No, I do not think so.

121. Can you suggest any means by which you could help to do that?

*President:* To spread the population all along the line?

*Mr. Cripps:* Yes.

*Witness:* I am afraid I cannot.

*Mr. Cripps:* So that as regards that solution of a housing difficulty and a railway difficulty, you cannot make any suggestion with regard to the charge for transport which would help to solve it?

*President:* How do you say it would help the housing. You start with, say, a housing scheme; having selected the best spot for housing, we will say 10 miles out; you cannot afford to fill up continuously with houses the line from there to London.

*Mr. Cripps:* He has just told me, Sir, that first of all it would be advantageous if it were possible to spread the population uniformly all along the line.

*President:* But then he says you cannot do it and he cannot do it.

*Mr. Cripps:* I shall call evidence as to what I think would be a solution.

*President:* If you have done it I should like an instance.

*Mr. Cripps:* We have not done it because we have not had the assistance of the railway companies. We think if we had their assistance we could do it. (*To the Witness:*) As a matter of fact, that system of tapering rates as you go out from centres was in use considerably before the war for residential purposes?—Yes; but I would not put it in that way. There were exceptionally low rates charged.

123. I am talking about principles and not exceptions?—I am afraid if you talk about principles in regard to workmen's fares in the old days it is very difficult to argue the one way or the other.

124. You talked about principles before the Rates Advisory Committee then simply?—The principles we would like.

125. And the principles that were in force?—There was no general principle then.

126. I am not talking about general principle but the principle of the various railway companies? For instance, you told the Committee, I think, and Mr. Bruce Thomas pointed it out as a matter of very great interest, the North Eastern practice where apparently the fares are on a scale and work out at a yield of  $\frac{1}{4}$ d. a mile at 3 miles to 0.15 of a penny at 25 miles. That is Q. 1236, page 53, July 7th, 1920?—Yes.

127. That was in practice on the North Eastern before the war?—Yes.

128. Is it not a fact also that that was the practice with regard to the third class seasons?—I do not know.

129. I want you to look at a diagram I have got here which shows the mileage rates on the various railways as at present charged. (*Same handed.*) These are the actual mileage rates at present, and if you look at that black line across the top that is uniform,  $\frac{1}{4}$ d. a mile for third class?—Yes.

130. If you look at the first red line you come to—the outside one—that is the highest third class season ticket annual rate worked down to a daily mileage basis; the highest in force on any railway?—Six days to the week?

131. Yes. It is the figures the railway companies have always adopted. And the one below is the lowest?—Yes.

132. So that if you would draw an imaginary curve between those you would get the mean between the two. The green line is the scale for workmen's fares?—Yes.

133. You notice that as you get further from your centre of work you get in fact a tapering effect with the third class season ticket?—Yes.

134. And, practically speaking, with the Rates Advisory Committee's scale after the first step?

*President:* Which is the first step?

*Mr. Cripps:* This step here.

*President:* The little straight piece?.



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[Continued.]

Mr. Cripps: Yes. You get a small decline to 8 miles, and then go almost straight off.

Witness: Yes.

135. It gradually slopes down because of that first charge of 3d. a mile?—Yes.

136. So that the effect of applying your scale would be to make the workmen's ticket at all distances more expensive than the lowest third class season scale?—Yes.

Mr. Jepson: All places beyond about 8 miles.

Mr. Cripps: Greater than the lowest third class.

Mr. Jepson: Yes.

137. Mr. Cripps (to the Witness): And, as Mr. Jepson points out, after about 8 miles, greater than the highest third class season charge on any railway?—Yes.

President: This is the standard?

Mr. Cripps: No; these are the actual fares charged at this moment. This green line is what is proposed by the railway companies.

President: But that is the standard?

Mr. Cripps: Yes, as their standard.

President: You are comparing it with actual, are you?

Mr. Cripps: Yes.

President: There is nothing to show that they are at present actual.

Mr. Cripps: I am not assuming that the railway companies are bringing an entirely illusory scheme before the Tribunal. I presume they have more respect than to do that. And if they bring forward a standard it is a standard which will be applied, I take it.

President: We have heard on behalf of the railways that exceptional cases will be met by exceptional charges. You are comparing it with the actual, I understand?

Mr. Cripps: I did not want to start my argument in the middle of cross-examination.

President: Then let us go to lunch.

(Adjourned for a short time.)

Mr. Strang: Might I say a word or two in connection with the Monmouthshire and South Wales Coal Owners' Association?

President: I do not know how that suits the convenience of the gentlemen who are now in possession of the Court.

Mr. Bruce Thomas: Mr. Cripps is cross-examining Mr. Cox.

Mr. Cripps: I shall be a little longer, and perhaps Mr. Strang will be content to wait until I have finished?

Mr. Jepson: It is on the question of workmen's tickets by colliery trains, and so on, is it not, Mr. Strang?

Mr. Strang: That is so.

138. Mr. Cripps (to the Witness): Will you look at the diagram again, Mr. Cox. Just before the adjournment I was pointing out that the season ticket rate—both the highest and the lowest, or the mean if you take the line between them—is in fact a tapering rate?—Yes.

139. In your proposed Schedule of season ticket rates of course you do not show whether you will have a tapering rate or not?—I have not seen it.

140. You do not; you show 1, 2, 3, and 4 miles. But these actual figures are the figures which the railway companies have voluntarily adopted owing to their commercial experience of carrying passengers into towns from their residences?—Yes.

President: Rates for the season tickets?

Mr. Cripps: Yes.

Mr. Jepson: What have you taken here as the highest and lowest? I am asking merely for information. Are they the monthly season tickets, or quarterly, or what?

Mr. Cripps: The railway companies' figures which were handed in before this Tribunal. On a yearly basis reduced to the daily, on the railway companies' figures of 300 a year.

Mr. Jepson: These are some yearly tickets?

Mr. Cripps: The actual money values are taken from the figures handed in by the railway companies when you were discussing this question before.

Mr. Jepson: But they are 12-monthly tickets.

Mr. Cripps: It was a table which was called, I think, "B.T.2"; all companies ordinary season ticket scales of rates.

Mr. Jepson: Yes; I remember it. It was what was called the Clearing House scale for season tickets?

141. Mr. Cripps: No; that was over 30. This was all the companies up to 30; and it gave the pre-war highest and lowest, and the percentage differences; and they have been adjusted with the 50 per cent. increase to the present rates. So that they show the rates to-day. (To the Witness): The point I was on was this, that the commercial experience of the companies has taught them that it is advisable to have a tapering rate for third class season tickets?—Yes.

142. Why does not that apply to workmen's trains as well?—It does over the great bulk of the workmen's trains.

143. Then why should not that idea be incorporated in a standard rate?—It is.

144. You mean to say that there is a certain amount of taper in this green line?—Yes, after the 4 miles.

145. Is there any reason that you know why they are not tapered to the same extent as the third-class season rates?—Yes. You see, these are daily passengers, and if a man pays for his ticket 12 months in advance he expects some distinct advantage for doing so.

146. Does he expect some different principle to be applied? I do not want to get confused with the question of quantum; we are only dealing with the form. Is there any reason why a different principle should be applied with regard to tapering?—I do not think there is a different principle applied.

147. Practically speaking, we agreed some time ago that after the point of 8 miles the Railway Rates Advisory Committee's scale goes off in a straight line?—It does not drop so much.

148. Very nearly so?—Yes.

149. You agree that this line is practically straight?—Yes.

150. This line tapers down to 0.3d. to 0.4d. to the mileage rate?—Yes.

151. Is there any reason why there should not be a similar tapering for the workmen's?—Yes. The workman does not travel as a rule so far as the season ticket holder.

152. That would only show that he would not get the advantage of the tapering?—He would not.

153. But is there any reason why, say, up to 20 miles it should not taper to the same extent?

154. Mr. Jepson: Do you as a matter of fact get any volume of workmen's tickets issued for 20 miles, or for anything like 20 miles?—No. The bulk of our workmen's tickets are under 10 or 12 miles.

155. Mr. Cripps: Is there any reason why, if the London County Council say they have still to find new housing estates—and naturally they have to go farther and farther afield—in future the workman should not travel a distance up to 20 miles?—There is no reason why he should not.

156. And there is no reason why provision should not now be made in the Schedule for such a travel?—Then he could take a season ticket if he wished to do so, as many do.

157. I suppose you know quite well that there is considerable difficulty in a man who is earning a comparatively small weekly wage putting down a lump sum of money in order to buy a season ticket?—Yes.

158. And that is the reason why workmen's tickets are used?—Undoubtedly.

Mr. Jepson: How far away is the London County Council's big housing scheme at Dagenham?

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[Continued.]

*Mr. Cripps:* Just over 10 miles. Of course there are lots of other housing schemes; we are not only interested in our own estates.

*Mr. Jepson:* I was thinking of the big scheme of the London County Council at Dagenham which you say is just over 10 miles.

159. *Mr. Cripps:* The curious thing with regard to the London County Council scheme at Dagenham is that the workman has to pay more than the second class season ticket holder. *(To the Witness):* As a matter of fact, you have just told us the Rates Advisory Committee's scale does taper a certain amount?—Yes.

160. What was the object of that tapering?—In order to give a cheaper fare for the longer distance passenger.

161. So that there is some reason, even in the railway companies' minds, for having a tapering?—It was the Rates Advisory Committee who put that in.

162. But you are putting this forward now on behalf of the railway companies?—Yes; we have seen the force of the argument.

163. Therefore, you think some tapering is advisable?—Yes.

164. Only the attitude you take up is that only a very limited tapering is advisable?—We think it is a substantial tapering.

165. So that what you told me before the adjournment was not really quite accurate when you said that you did not think a tapering rate would assist either the railway companies or housing in giving distribution of the population?—I maintain that.

166. It does not assist?—No.

167. Then why is it put into this scale by the railway companies?—It is a greater tapering, or a general tapering.

168. I think we are getting a little at cross purposes, and perhaps it is my fault. You agree with me that the Rates Advisory Committee's scale contains a certain amount of tapering?—Yes.

169. What was the object of putting in that certain amount of tapering?—Because it was considered sufficient for all general purposes; but we had in mind the fact that there would be certain places where the standard would be still too high and exceptional conditions would have to be applied.

170. Was the reason that you put in tapering because you thought that workmen living a farther distance from London should not pay so great a mileage rate?—Certainly.

171. So that the railway companies do consider a certain amount of tapering is helpful with regard to the housing proposition and with regard to railway travelling?—I do not say so with regard to the housing proposition; but I do say so with regard to workmen's tickets generally.

172. In what aspect of the workmen's tickets. What does it help?—In what aspect.

173. You say it is helpful not as regards housing. I want to know what it does help?—In that it does not impose such a burden on the men who have to travel more than 4 miles.

174. Why do they have to travel more than 4 miles?—For various reasons.

175. Is not the real answer that, owing to the congestion of housing, they have to go farther out of London to get a house?—No; many of them are there already, but they have to stay there.

*Mr. Bruce Thomas:* They may have to go farther afield to find work.

176. *Mr. Cripps:* Then they would not be coming into London?—Yes. Take Woolwich, for instance, where there was employment for all the people living there at one time; now they have to go out of Woolwich to find work.

177. Then they did not want workmen's tickets?—There were workmen's tickets for a limited number. Now very large numbers have to go out of Woolwich.

*Mr. Cripps:* I will not argue with you about the housing point, because I think I can produce evidence to satisfy the Tribunal on that.

*Mr. Jepson:* We had it in the Grays Thurrock case the other day that there were thousands of men travelling from East Ham and round about Barking going to Tilbury for work.

*Mr. Cripps:* Yes.

*Mr. Jepson:* Not coming into London but going out of London.

*Mr. Cripps:* Of course that is rather a special case where the traffic goes both ways.

*The Witness:* All our workmen's tickets are issued both ways.

178. I said "where the traffic goes both ways"? And the traffic too.

179. On your line the traffic goes both ways?—Yes; take Woolwich, for instance.

180. Would it not be better to say that in a few special cases the traffic goes both ways?—Yes; that would be more accurate.

181. I gather from the evidence given before the Rates Advisory Committee as to the cost of running a workmen's train that there were no cases round London where you had traffic both ways, and that is why the cost was so great?—Generally speaking, that is so.

182. The next point I want to ask a question about is standardisation. I understand that the attitude of the railway companies is that this Schedule will only fix the maximum fares. Is that correct?—Yes.

183. That they are not to be standard fares to be charged, but only maximum fares beyond which fares shall not be charged?—Yes; that is as I understand it.

*Mr. Cripps:* Is that your understanding of what a standard means?

*Mr. Bruce Thomas:* This is a question of what "standard" in the Act means.

*Mr. Cripps:* I am asking Mr. Cox what his understanding is of what "standard" means.

*Mr. Bruce Thomas:* It is a question of law.

*Mr. Cripps:* I do not think so.

*Witness:* My understanding is that the standard shall be applied wherever it can be applied.

184. Quite. That is not a question of fixing the maximum; it is a question?—I did not introduce the word "maximum."

185. No; but your learned Counsel introduced it several times in his argument this morning. I want to know whether that is the real view of the railway companies. I agree with you if your view is that this is a standard to be applied wherever possible?—Yes.

186. Then we are at one upon it. I want now to deal with the question of the inter-relation of the workmen's fares to the third class fare. That is a principle which in our form of Schedule is incorporated, that the workmen's fares shall be some percentage of the ordinary third class fare?—Yes.

187. Has not that in fact always been the view of the railway companies, that it is advisable?—Oh yes; without a scale.

188. But that there should be some definite inter-relation?—Yes; but no tapering.

189. *Mr. Jepson:* I thought in answer to a question which I put to you before the adjournment—I think I put it to you in this way: Taking the existing workmen's fares, is there any relation whatever between the workmen's fares and the ordinary third class fare; and you told me, No.—That is quite right. At the present time there is not.

190. That seems to be rather contradictory of what you have just told Mr. Cripps.

*Mr. Cripps:* I asked him had it not always been the view of the railway companies.

*The Witness:* That is rather different.

191. We in our simple way tried to comply with that view?—It was the view when we first came before the Rates Advisory Committee.

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[Continued.]

192. Do you want that view?—No; but we are prepared to continue the scale which was introduced before the Rates Advisory Committee.

193. But you think it would be much better to have some definite relationship between the workmen's fares and the third class fare?—Yes, I think it would be much better to make it the single fare for the double journey.

194. That is a particular thing?—Yes.

195. Mr. Jepson: If you made it the single fare for the double journey you realise that you are departing from anything like a standard; because whatever is said by this Court—supposing it was settled in those terms—no one could say what the workmen's fare was to be between certain points without getting to know what was the actual ordinary third class fare between those points?—There is not so much departure from the 1½d. a mile in regard to the single fares; it is when you come to the return fares that you get the wider difference.

Mr. Jepson: I quite follow that.

196. Mr. Cripps: So that it was your view, and still is your view, that there should be an interrelation between the ordinary third class fare charged and the workmen's fare?—Yes, in that way.

197. I want to ask you one or two other questions about the conditions governing the issue of workmen's tickets. Of course you have not put into your Schedule all the conditions governing the issue of the tickets?—No.

198. And if one compares a workman's ticket with an ordinary third class season ticket, the third season ticket holder has many more privileges than the workman?—Yes.

199. For instance, for short distances, taking the figures of the Underground Railways, which were the only figures given before the Rates Advisory Committee, the average number of times that a third class season ticket holder uses his ticket is three times a day—that is to say, half of them go back to lunch?—Yes.

200. That a workman cannot do?—No.

Mr. Bruce Thomas: Of course this scale will not apply to the Metropolitan; we have nothing to do with them.

Mr. Cripps: I was giving it as the only instance there was. I suppose that would be probably the same on the very short distances in regard to season ticket holders on the big railways?

Witness: To a small extent; it is nothing very great.

201. Again, the liability of the railway company towards the workman is limited?—Yes.

202. To £100?—It has been.

203. To a third class season ticket holder it is unlimited?—Yes.

204. That is another advantage which the third class season ticket holder has?—Yes.

205. A workman cannot travel on Sundays and holidays with his ticket?—No.

206. The season ticket holder can?—Yes. I should say that is relaxed to some extent on Bank holidays on some lines with regard to workmen.

207. Workmen are allowed to take a fresh workmen's ticket?—Yes.

208. But he has to pay extra for it, and the season ticket holder gets it for nothing?

President: Gets it for nothing! He pays for it.

209. Mr. Cripps: Yes, of course he does pay for it. (To the Witness): Is there any reason why a workman should be charged more than a third class season ticket holder, seeing that he has less advantages?—I do not know what the proposals for season tickets are, so I cannot answer.

210. I am not asking that. I am asking whether there is any reason why the workman should be charged more than the third class season ticket holder?—I see no reason why he should have the same advantages.

211. Would you mind answering the question? Do you see any reason why he should be charged more

than the third class season ticket holder?—For long journeys, no; for short journeys, yes.

212. What is the reason for short journeys?—In that he takes his ticket every day, and in many cases he only comes to the railway when he cannot travel by road.

213. In spite of all the disadvantages from which he suffers; for instance, he has to travel before 8 o'clock?—Yes.

214. Very often he may not come back until after 12 o'clock?—Yes.

215. In spite of that, you think that for short distances he should be charged more than the third class season ticket holder?—Yes.

216. But not for long distances?—No, not for longer journeys.

217. So that, looking once more at our diagram here, the fair thing would be at this point to charge him more—the beginning part—and at that point to charge him less. (Indicating on diagram.)—But that might be by revision of the season ticket rates and not the workmen's rates.

218. I am assuming for the moment these rates. I am going to deal with that other point later. But taking these figures for the moment, your view is that it would be fair to charge him more at the beginning and less at the end?—Yes.

219. So that really your view is—always keeping in mind your point about an alteration in season ticket rates—that the workmen's should taper more than the third class season ticket rates?—No, I do not say that at all.

220. That is just what you have told us, you know?—Taper more than the third class?

221. Yes; because it should be more at the beginning and less at the end, that means it must taper more?—No. The season ticket rate could be brought into line.

222. I am coming to that point in a minute. I cannot ask questions with two variables at the same moment. I want you to assume that line for the moment. What you have told us is that at the beginning the workmen's should be more than the third class, a higher rate of charge; and at the end it should be less. The result of that is that you will get a greater taper on the workmen's than you will on the third class season?—Assuming that it is so, of course.

223. I want now to deal with the other point; I am afraid it is repetition, but I must do it. These rates have been fixed purely voluntarily for the third class season?—Yes.

224. They were not fixed so that they should be run at a loss?—I do not know.

225. I am going to ask the Tribunal to make that big assumption, that the railway companies did not voluntarily fix rates which incurred a loss?—I do not think that is right.

226. You think these rates were voluntarily fixed so as to incur a loss?—No, not so as to incur a loss, but so as to bring new traffic.

227. Let me put it in this way: It paid the railway companies to fix those rates?—I do not know whether it paid them. It suited their purpose.

228. That is an equivalent. There was no compulsion of any sort upon them?—No; no compulsion.

229. Am I entitled to assume that, dealing with residential traffic outside large towns, it suits the purpose of the railway companies to have such a taper as is shown by these red lines?—I presume so.

Mr. Jepson: You do not forget that you are dealing in the one case with a standard and in the other case with actual figures. You have not got any diagram, I suppose, showing how the average workmen's fare charged for those distances of which you are speaking compared with the third class season ticket actual rates?

Mr. Cripps: I have not a figure as to that because I did not think it was material, for this reason: We are assuming that these things will be altered by this Tribunal; when the rates are fixed we assume



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they will not be identical with the old ones. Therefore all these red lines are put on to show what in fact the railway companies have of their own free will found to be the rule with regard to dealing with this sort of traffic.

Mr. Jepson: I follow your argument which is all right as far as it goes; but what troubles me is this. You are comparing a scale which has been in operation and which is in actual operation by the railway companies for season tickets—12-monthly season tickets—up to 30 miles, with a standard proposed by the railway companies for workmen's fares. It does not follow at all that all these workmen's fares will be up to that standard; and you have got no information to compare like with like, what is the average workmen's fare to-day which the railway company have put into operation of their own volition or at the instance of some authority under the Cheap Trains Act.

Mr. Cripps: I am afraid it is my stupidity, Sir; I have not put it clearly. But what I wanted to use this for was not to deal with any question of quantum at all. The question of principle which I am discussing now is the question of whether or no these rates should be made to taper with distance. All I am trying to get out of this diagram is this fact, that the railway companies have found that the best way of dealing with third class residential traffic outside big towns is in fact by a tapering scale. That is a fact I want to show. And now I have got Mr. Cox to tell me that in fact it is better, or it should be better, that the workmen's fares should taper more; and I am only using that to support my argument that in this Schedule, the form of which you are going to fix, it should be a scale for the workmen's fares.

President: All Mr. Jepson is saying is the comparison would be better on this if you could have got as equally as to workmen's fares what you have got as to season tickets; because it may be to-day they taper just as much as the red.

Mr. Cripps: If we can get that from the railway companies we will put it on the picture.

President: As far as I can see, it is a fair comment to make that because this is a standard which may or may not be introduced in its entirety, and we have the evidence of the witnesses that it must be subject to the modification of exceptional cases, you have adopted it as a hard and fast rule—I am not saying wrongly—and if you compare it with what is actually going on to-day and get out a blue line in comparison with the actual thing, with the red line, that would show such a different result, and that result may be continued even after the green line has been passed into existence. I think that is what Mr. Jepson wants to bring out.

Mr. Jepson: Yes; and this further point, as came out in evidence: If you try to get evidence about workmen's fares above 10 miles, you will find they are practically non-existent.

Mr. Cripps: I do not think that is accurate, and I have some figures here to prove it.

Mr. Jepson: You have gone up to 30. Mr. Cox's evidence was that practically the whole of it was within 10 or 12 miles. You may say 15 miles.

Mr. Cripps: On Mr. Cox's own line they go up to 19 miles.

The Witness: We have fares up to 25 miles.

Mr. Cripps: The fares are issued, and they will have to be issued in future; and when you go to the station you will have to find them according to some standard; the standard will have to go up to the utmost limit of workmen's fares; you cannot stop it at 12 or 20, you will have to go to 30 or 40, which may or may not be used; but it must be used in some cases.

President: I do not know about that. There might be a case in which they gave the 30 or 40 miles, but I do not know whether they would be obliged to hang up a 40-mile scale in anticipation of such a thing.

Mr. Cripps: That was an extreme instance, 40 miles; but say 30 miles. It is possible that in the next few years 30 miles may be necessary. May I answer that other question; because I am sure we

were a little at cross purposes with regard to the diagram? I want to make it plain if I can. This diagram is of no value as showing how much workmen's fares ought to be. The value of this diagram is simply to show by the red lines the methods which the railway companies have found it advisable to adopt in dealing with third class season traffic.

President: Yes; and we only said they may have adopted the same methods.

230. Mr. Cripps: That does not concern me, with respect. We are now considering what this Tribunal shall say is the proper method; and I think Mr. Cox is representing the railway companies here to show that the proper method to adopt is that the workmen's fares should taper according to the existing red fares; and that is all I want. (To the Witness): Now with regard to the question of 60lbs. weight of tools. You say, as a matter of fact, they seldom carry 60lbs?—Yes.

231. So that it would not matter whether you increased it up to 100 lbs. or not?—Yes, it would.

232. How much extra weight per annum would it entail?—I do not say it would create much more to carry; but it would give an opportunity for men to carry what they are not entitled to carry.

233. Do you know of any instances of their doing that?—I have no actual evidence of it here.

234. Surely it is not your view that in fixing these rates you have to presume illegality and prevent it?—Yes, we have.

235. That is your view?—Yes.

236. Mr. Locket: As a matter of fact, is there in actual practice any limit put? Take a wagon repairer taking a heavy lifting jack in addition to his ordinary tools. Would he be stopped in actual practice?—I have never known of a case; but I should say in actual practice no, when a man wants to take a thing like that, it is so rare.

237. A man carrying an exceptionally heavy tool with him probably would not be stopped?—No. There would be very little check, of course.

238. That is my experience, that there is no check put upon them in actual practice. Is not that so?—Yes; very little.

239. Mr. Cripps: As a matter of fact, there is one very definite class of workman which increasing the 60 lbs. to 100 lbs. would benefit, that is the carpenter and joiner who has to carry his tool-box with him going from job to job?—I have never known of a case of that kind.

240. But he would not be allowed at present to carry it?—No.

241. Would it really hurt the railway companies very much if in those comparatively small number of cases the men were allowed to carry their tool chests?—I do not think it should be done; because how would the railway staff know what was in the tool chest? They might have all kinds of tools in it for the employer which should be sent at the ordinary charge.

242. How do you know what is contained in the 60 lbs?—We do not know. But the wider you make it the more likely it is to happen.

243. Surely it would be more likely in the case of the heterogeneous contents of a man's bag than in regard to a tool chest?—A man with a bag of tools could put it under the seat; a man carrying big tools would have to place them in the van, and that would mean extra work.

244. Provided the workmen pay a fare something like proportionate to the third class season, is there any reason why they should have less facilities for putting luggage in the van than a third class season ticket holder?—Yes. I think, the 60 lbs. is ample for the purpose.

245. You simply think it is sufficient?—Yes.

246. You stated in your evidence that there might be cases where it would be necessary to reduce the ordinary third class below the standard and it would not follow that the workmen's should be reduced. Why?—You have places where a large number reside and there is road competition, and the ordinary fare

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has to be brought down to something lower than double the single.

247. We have been referring all the time to the ordinary?—I think I said this afternoon that the single fare does not differ so much from the standard as the return fare.

248. So that would not be an objection if it were fixed in relation to the single fare?—I am not clear there.

249. You put forward at the request of Mr. Bruce Thomas that one of the objections to relating the workmen's fare to the ordinary third class fare was that in some cases it might prevent you reducing the ordinary fare because the workmen's would be automatically reduced?—I should not be afraid whilst the workmen's fare is related to the single fare.

250. Mr. Jepson: Is there so much difference? I am thinking of a case I have in my mind where the single ordinary fares had to be reduced because of road competition, or something of that kind. Workmen have already got lower fares and the competition, therefore, does not affect the workmen's fare. It does affect the ordinary third class passenger; and I thought the view you put forward before was this, that although they might have to reduce the ordinary third class passenger fare the workman, already being carried at pence below that, was not necessarily affected, and therefore there should not be automatically a reduction in the workman's fare because the third class single was reduced?—Yes; but in those cases the workmen's fare would be below the standard; and the number of cases where the single fare is below the third class standard are very few compared with the returns.

251. Mr. Cripps: Perhaps I had better put this point to you; although I think you have nearly dealt with it. The reason for this inter-relation between the workmen's fare and the ordinary third class single fare, which the railway companies base their desire upon, is that you want to divide your traffic up in the mornings coming into London in gradations of cheapness?—That is another feature, of course.

252. That is one of the reasons?—Yes; on some railways that is found necessary.

253. You have first of all your workman with his cheap ticket, and then your third class ticket holder in the next hour?—Are not you referring more to the different rates for workmen's tickets?

254. No; I do not want to get confused about the Great Eastern people?—I thought you were referring to that.

255. No. I will find the passages and remind you of them. This is your answer to Sir Lynden Macassey (July 6, 1920; page 13; Q. 106): "(Sir Lynden Macassey): In your view, it is necessary, in considering the question of increasing the workmen's tickets, to have regard to the relationship which normally exists between the workmen's tickets and the season tickets and the ordinary tickets?" He is dealing with those three?—Yes.

Cross-examined by Mr. Dew.

262. In the form of the heading of the schedule—you notice my Association sent in an objection—you have introduced the words "where workmen's tickets are from time to time issued." Is that form of words in any way connected with the issue of workmen's tickets to-day?—No, I do not think it is.

263. Is it a fact that on the South Eastern—the railway with which you are particularly concerned, I think—you were under an obligation at the time of the amalgamation of the two companies to issue workmen's tickets to every station within 20 miles of London?—Yes.

264. Now with regard to the allowance for workmen's tools. Have you any instance where the railway company have stopped a workman from carrying too much weight in the way of tools?—No.

265. Are you aware that in trades like carpentry and joinery, wheelwrights, coach-builders, wagon builders, and others, when the men are changing from one job to another they have a very consider-

256. "(a) Yes, we feel that if a change is made in any one of them the whole three should be considered in order that a satisfactory relationship may exist between them; so that if you change the workmen's fares it will not have the effect of driving the traffic, or a large proportion of the traffic, into one of the other two divisions. Similarly, if you increase the ordinary fares it will not have the effect of driving too large a proportion into the two lower divisions"?—Yes.

257. The principle of that being that it is very desirable for travelling between any two points to have a gradation of cheapness and a gradation of hours; the cheapest fare in the first hour, then the third class season ticket holders, then the ordinary fares?—Yes.

258. Mr. Jepson: Is that the meaning of your answer? As I read this answer, you are speaking of the relationship between the workmen's tickets and the season tickets and the ordinary tickets; and you say if you put up ordinary fares you do not want to put them up to such an extent as would drive a lot of these people who take ordinary tickets into the season tickets rates?—Yes, that was the evidence at that time.

259. You do not want to put up fares too high so as to drive people to travel before 8 o'clock in the morning to get the advantage of a cheap rate?—We had found that arrangement then in force for workmen's tickets and season tickets and ordinary tickets did automatically divide up the people and distribute the traffic.

260. Was it not the experience of the railway companies, when the ordinary passenger fares were put up 75 per cent., that it drove a number of people to take season tickets?—Yes. And when the season tickets went up later a large number were driven into workmen's fares.

Mr. Cripps: Perhaps I can elucidate what the witness meant by a question that was put to him before the one I read out just now. I do not think Mr. Cox had studied the figures at that time because they are not quite accurate; but it gives the idea. It really begins at Q. 84: "A season ticket is not less than one day's journey?—Yes; but if you break up the monthly third class season ticket rate, the rate comes somewhere between the daily workman's rate for the return journey and the single third class rate." That ought to be "the third class return rate," and it is corrected a few questions later. Then Mr. Cox went on to say that although that principle had not been applied it was the sort of principle at the back of the minds of the railway companies.

Witness: Yes.

261. That you should have your cheapest fare the workmen's, next the third class season, and then your ordinary fare?—Yes.

able quantity of tools to carry?—I dare say they do. 266. Do not you think it would be a hardship on those men in those trades if they were stopped and had to pay extra for the weight of their tools?—No.

267. You have not found it abused up to the present, have you?—No; and we have found very few cases where these large quantities of tools are taken at all.

268. I happen to have been a carpenter and joiner, and for 30 years of my life I followed that trade; and during several of those years I travelled over the London, Chatham & Dover line; and whenever I had to change—I am glad to say it was not very frequently—I can assure you I carried more than 60 lbs, possibly even more than 100 lbs, weight of tools. A carpenter and joiner has to provide all his own tools, as you know; and when he moves from one job to another, especially if he is going to a very good shop, he wants a considerable quantity of tools. I can assure you that the average workman in my old

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trade—cabinet making, and similar trades—carries far more than 60 lbs weight of tools when changing from one job to another?—How does he carry them?

269. Generally in baskets; generally one basket at the front and one at the back; the two handles are strapped together; and I can assure you that he stands under a considerable weight of tools when changing from job to job. I put it to you that you would not like, as wealthy railway companies, to stop a workman from carrying his tools in order to earn his living?—I have known of no case in the past where difficulty has been experienced, and I do not see why it should be experienced in the future. Our limit has always been 60 lbs, and we have never had any difficulty with it. It is most rare to see a man carrying a big load of tools.

*President:* Apparently Alderman Dew was lucky enough to get through!

270. *Mr. Dew:* I can assure you that what I am telling you is the fact with regard to those particular trades. And as no difficulty has arisen in the past, why should you put on this limit of 60lbs. to-day?—We are not putting it on to-day. It is on now.

271. Can you tell me where it is published at a London station?—On all South Eastern stations it is published.

Cross-examined by Mr. WILLIAM STRANG.

*Mr. William Strang:* I am speaking on behalf of the Monmouthshire and South Wales Coal Owners' Association. The points dealt with up to the moment have been principally in regard to cases where the workmen purchase their own tickets; but in Monmouthshire and Glamorganshire quite a different set of circumstances exist. In the South Wales area we have cases where the colliery companies have had agreements for many years, some of them, I believe, for between 40 and 50 years, but the whole of those agreements were terminated at the 31st December of last year. They can be renewed with the respective railway companies, but a question is in dispute at the present time as to what the extra is to be in addition to the pre-war prices. I want to make it clear from Mr. Cox—as I understand he is representing the whole of the railway companies—that the same privileges will be given to the colliery companies in the future as have been given in the past; because the colliery companies in a good many cases pay the whole of the fares; the workmen do not purchase tickets every day; in some cases the collieries provide the railway carriages for them; they have also erected platforms for the men to get into the trains and also for them on leaving the trains.

*President:* Can you answer the question, Mr. Cox; is it rather a long one?

*Witness:* I believe Mr. Bruce Thomas dealt with it this morning. I think the best way I can put it is this: There is no intention on the part of the railway companies to discontinue considering arrangements that are necessary to apply to exceptional conditions in connection with collieries, docks, works, etc. There are many cases in the country where the conditions are different, such as have just now been described, where the collieries are situated away from the railway and trains pass over private lines into private sidings to private platforms, and where the colliery companies purchase the tickets and supply them to the workmen, in some cases at a small charge and in other cases at no charge at all. All these cases will have to come under review under the new conditions, and the railway companies will consider them on their merits and come to such agreements with the companies as may be mutual on both sides.

273. *Mr. William Strang:* I would like to say that in most cases no tickets are used at all. In some cases the colliery companies provide discs for the workmen to carry, and they also indemnify the railway companies against accidents?—Yes, there are such cases.

*Mr. William Strang:* In some other cases the trains are run over a portion of the colliery companies' own railways.

272. I have not noticed it. But if it is published, then your people on the platform must wink at it, and not take any notice.

*Mr. Jepson:* May I ask you a question on this, Mr. Dew? When you were travelling under these circumstances, did you travel with a workman's weekly ticket or with a third class season ticket?

*Mr. Dew:* With a workman's daily ticket. We used to buy the ticket before 8 o'clock in the morning and coming back with it in the evening. I travelled in that way for many years.

*Mr. Jepson:* Perhaps there were no weekly workmen's tickets then.

*Mr. Dew:* There were a few on the Great Eastern.

*Witness:* We have no weekly tickets at all now.

*Mr. Dew:* The Chatham and Dover, although a much-abused line, used to be one of the very best in those days; but I never found this difficulty with regard to the tools, and I do want to appeal to the railway companies not to put this into the clause. I do not think it is wanted there at all. That is all I want to ask.

*President:* Thank you, Mr. Dew. You have put your questions very well.

*President:* Has there been any correspondence between you and the railway companies at all now.

*Mr. William Strang:* Yes, a great deal of correspondence.

*Witness:* I believe that most of the companies which have these exceptional conditions are already in correspondence with the firms concerned on the subject.

*Mr. William Strang:* The Transport Officer of the South Wales Coal Owners' Association telegraphed to the Great Western Railway Company a few days ago and had the following reply: "Understanding is Schedule establishes standard or normal fares and does not affect numerous exceptional more favourable arrangements for collieries and others." We would like to have that before the Tribunal.

*President:* That sounds all right, does it not?

*Mr. William Strang:* It does. But the London, Midland and Scottish take a somewhat different view of it; they say the colliery companies would have a chance of clearing up these matters under Section 41 of the Railways Act of 1921. We do not want to have to do that. We want to have the principle established here; and these cases should come up for special consideration.

*Mr. Jepson:* Section 41 is exceptional fares, is it not? Do you mean Section 34 or 41?

*Mr. William Strang:* I will read the letter: "With reference to your letter of the 24th instant, and my telegram of to-day's date. As your Association are no doubt aware, the railway companies, having in mind the varying conditions under which workmen (including colliers) are conveyed, had not proposed to submit standard scales for workmen's fares, but after a public hearing the Rates Tribunal decided that such schedules should be prepared, and the railway companies in submitting the present forms are only carrying out that decision. The scales of workmen's fares when settled by the Rates Tribunal will become the general standard for workmen's fares throughout the country. Provision is, however, made in Section 41 of the Railways Act for the charging of exceptional fares below the standard fares in certain circumstances, and where necessary the Company will be prepared to deal with special conditions by exceptional fares." Section 41 is permissive only.

*President:* Yes.

*Mr. William Strang:* In the cases I referred to the colliery companies generally pay the railway companies once a month, and there is a schedule starting with 10 passengers and going up to possibly 2,000 or 2,500. The company which I represent have about 3,000 workmen travelling every day in the way I have indicated; so that it is necessary to have a clear understanding



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on the point; and other companies represented here to-day are in very much the same position.

Mr. Brown: I should like to point out the real reason, outside what has been said by my friend here, as to why the Monmouth and South Wales Coal Owners set for that particular objection; because it would appear from the observations made by learned Counsel for the railway companies this morning that we had put that in under misapprehension. I desire to point out that we are under no misapprehension whatever; because you may remember that when the evidence was given previously on the Committee's recommendation on which the fares was increased in September, 1920, not a word of evidence was given in connection with colliers' fares, as such, because we in South Wales never interpreted the term "workmen's fares" as relating to our colliers' fares; otherwise we should have appeared before the Tribunal at that time and made our position clear. It was probably our own fault that we did not; but we do not want to fall into the same trap twice, so we thought we should have a *locus standi* before this Tribunal in putting forward this objection having regard to the peculiar conditions obtaining in South Wales in connection with our colliers' fares. Many of the collieries provide their own stock; no tickets are issued; the railway companies are indemnified; and several other things; and we feel it was never the intention—even the heading tells you it could not apply to us, "Where workmen's tickets are from time to time issued"—generally speaking they are not issued to us; but if the Tribunal will confirm what has been already hinted at by the railway people, that we need have no fear that the facilities we enjoy to-day will not be continued in the future, we shall be satisfied. We do not want to be on the permissive side; we want to be quite sure so that there will be no misunderstanding whatever on the matter.

274. Mr. Locket: (To the Witness): It is very likely, Mr. Cox, that you have explained the point which is in my mind, and if so probably I am to blame for not having noticed it. On what grounds have the railway companies abandoned their proposal which was put before the Rates Advisory Committee that the workmen's fares should be fixed for the double journey at the single third class fare?—Because the scale that was put forward by the Rates Advisory Committee and ordered by the Minister of Transport gives us that principle up to 4 miles.

275. You have adopted the scale that was put forward by the Rates Advisory Committee?—Yes, which at the present time is exactly the same as the single fare for the double journey up to 4 miles.

276. Do I understand that you go further than that; that you prefer that to your original proposal?—Up to 4 miles it is the same; but after 4 miles it does give an advantage to the workman in that it reduces the fare for the longer distance passengers; and I quite recognise that the arguments put forward in regard to that by the Rates Advisory Committee are sound arguments, and I think I have admitted so this afternoon.

277. Of course there is a definite co-relation there between the ordinary fare and the workmen's fare?—There is here.

278. Not to the same extent?—Up to 4 miles.

279. Up to 4 miles, yes?—Then after 4 miles it is less than the single fare.

280. Mr. Bruce Thomas: That is an advantage to the workman?—Yes, that is an advantage to the workman.

281. President: I thought when you gave your evidence you rather said you would have preferred the single fare for the double journey, but you were prepared to continue the scale which had been adopted by the Rates Advisory Committee. Were those your words?—Yes.

282. That is what you said?—Yes.

283. Mr. Locket: The reason I put the question was to find out what objection there was in principle to the proposal which you originally put forward?—We have no objection to it.

284. You still would prefer the single fare for the double journey?—Yes; we have always maintained that the workmen's fare should be the single fare for the double journey irrespective of distance; that was our original intention, and we have never departed from it. But we do see some reason in the argument of the Rates Advisory Committee that a man who travels more than 4 miles should have some advantage in the fare. We have found this work satisfactorily since September, 1920, and are quite prepared that it should continue.

285. President: When you talk about the single fare for the double journey, you are speaking there of the ordinary fare?—The standard single fare.

286. The ordinary?—The standard single fare. It is very rarely that the ordinary fare is below the standard single fare; there are cases, but they are not worth consideration.

287. Mr. Jepson: What you mean by that is this. Take pre-war, when the standard fare was a penny a mile; you mean to say that taking ordinary single fares there were very few of them less than a penny a mile?—Only in certain areas. Of course there is the striking Tilbury case.

288. Yes; but such cases were the exception?—Yes, quite the exception; and they would have to be treated exceptionally still.

289. Do you say that was in the minds of the railway companies when you said, as before the Rates Advisory Committee, we should be content for workmen to have the single fare for the double journey?—Yes.

290. That is a 1d. a mile pre-war and 1½d. a mile now?—Yes. Whilst the ordinary fare was 1d. we should accept the 1d.; now it is 1½d. we should accept the 1½d.

291. Do you say the exceptions from the standard are so small that you would not stand out against the standard for workmen being the single fare for the double journey?—Quite so.

292. According to what you said just now you think that would, according to your proposals now, be worse for the workmen than your proposals?—Of course it would; because, you see, they would have to pay the single fare no matter what distance they travelled; whereas these proposals give them an advantage over 4 miles.

Mr. Cripps: May I ask a question on that because it is exactly contrary to what the witness told me. I specifically emphasised the point and I put his evidence to him, and now he has absolutely contradicted it.

Mr. Jepson: There would be no tailing off in that case?

Mr. Cripps: I am not concerned with that question for the moment. What I am concerned with is the question whether it has a relation to the standard or the ordinary third class fare. The witness specifically told me—and I put the question purposely—that it was dealing with the ordinary fare charged, third class single.

Mr. Bruce Thomas: That is exactly what he says now.

Witness: I do not think I have departed from that.

President: He says they are practically identical; that there are only one or two cases where they are not.

Mr. Cripps: He has now said that what he means by it is the standard because it is always the same as the ordinary. I can easily show it is very seldom the same as the ordinary. We had that before in evidence—if he will stick to the answer he gave before—that the relationship must be with the ordinary fare charged between the same points. It is a very important point.

Witness: I do not think I have gone wrong; I cannot see the inconsistency at present.

Mr. Jepson: The inconsistency seems to be this. Mr. Cripps states, and he tells us he is ready to prove it, that at any rate round about London there are a very large number of third class ordinary single

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fares which are less than 1d. a mile plus 50 per cent.—less than 1½d. a mile—and, therefore, if your standard fare is going to be 1½d. a mile single or 3d. return, and the workmen's fare is to be 1½d. for the single journey, he thinks that is too much and you are not having regard to all these large number of ordinary fares below the standard. That is the difference between you.

Mr. Cripps: I do not want to interrupt again, but that really is not my point. My point is whether as a principle the railway companies believe in the inter-relationship between the workmen's fare and the ordinary third class single fare as charged between the same two points. Mr. Cox has told me they do, but now he says he only means that where the ordinary is the standard. This is a different point.

Re-examined by Mr. BRUCE THOMAS.

293. My friend has been asking you a good many questions, pointing out the advantages which season ticket holders have over the holders of daily workmen's tickets. But there are considerable advantages which the Company get in the issue to season ticket holders, and there are considerable disadvantages which accrue to the season ticket holders compared with the holders of workmen's tickets, are not there—for instance, the season ticket holder has to risk illness?—Yes.

294. He pays for his tickets and if he does not travel he gets no abatement?—Yes, there is some allowance in certain specific cases—I have not them before me now—if he is away for a long period.

295. But if he is sick for a few days he does not get any abatement?—No.

296. Then the season ticket holder is tied to one route; he has to go by that route every day or to lose money on it?—Yes.

297. Is there any advantage to the Company in the cost of printing and booking office expenses?—Not very much.

298. With season tickets one of the most important things is that you are guaranteed a certain revenue and a certain flow of traffic?—Yes.

299. A great number of questions were put to you about taper. There is nothing in this schedule which would prevent the Court, when it comes to settle the quantum of the charge, from inserting any sort of taper it liked, is there?—Certainly not.

300. When the figures are put in, then any sort of taper can be put in, because it is open to the Court to come to whatever conclusion it thinks proper as to the particular amounts to be put opposite the mileage?—Yes.

301. It was put to you that this scale really lends itself to a minimum of, I think, 1½d.?—Yes.

302. Is that so?—Does not this scale lend itself to anything the Tribunal thinks fit to put into the last column. For instance—

Mr. Cripps: Is not this almost cross-examination? The witness has stated in cross-examination it only lends itself to 1½d. a mile, and my friend is now suggesting to him something else.

President: He may ask him to clear that up.

Mr. Cripps: Yes; but not make suggestions of other things.

303. Mr. Bruce Thomas: Does it only lend itself to a minimum of 1½d.?—I think I said this morning that it definitely lends itself to the ½d. addition in each case, but I see no reason why other figures should not be put in here.

304. If the Tribunal thought it the right thing to do, having heard the necessary evidence and got all the information it requires to enable it to fix the quantum, do you see anything in this Schedule which

Witness: I said this afternoon that most of these cases where the existing fare or the ordinary fare is the standard; round about London there are a number of them; but when you compare them with the whole of the fares throughout the country they are a small proportion indeed. When you spoke of the relation between workmen's fares and the ordinary single fare I thought it was obvious—it is to me anyhow—that where the ordinary fare is below the standard that ordinary fare would have to regulate the workmen's fare. You never charged the single fare for the workmen whilst you had an ordinary fare which was below the standard.

Mr. Cripps: I am satisfied with that. That is what I thought; it is the ordinary fare, not the standard.

President: Then everyone is pleased now.

would prevent them from putting 1d. opposite one mile and 1d. opposite one and one-third miles?—No.

Mr. Cripps: I do object to this form of re-examination. I have cross-examined this witness and he has given answers on the form of this Schedule. Now suggestions are being made to him to vary the answers which he gave in cross-examination.

President: I think he is allowed to give an explanation.

Mr. Cripps: If he will give it. But my friend is giving it and the witness is saying yes or no. It is to that I object.

305. Mr. Bruce Thomas: Very well. I may be able to produce an argument on it, if necessary. (To the witness): With regard to the hypothetical housing schemes many miles out of London. When they come into existence and they become so important that they ought to be considered when settling the standard for the whole of the country, will there be anything to prevent the London County Council from coming to the Court and asking them to revise the scale?—No; or for exceptional treatment.

306. Do you know what is the average workmen's fare as disclosed by the Ministry of Transport's statistics?—No, I have not got it before me at the moment.

307. Perhaps my friend will not object to my putting these figures to you. We will produce the statistics in a moment. I believe it is between 3d. and 4d. If that figure is correct that would indicate that the average journey is something less than 3 miles, is it not?—Yes, naturally it would.

Mr. Stafford Cripps: The average is 3.33.

308. Mr. Bruce Thomas: Between 3d. and 4d.; and that would indicate that the average journey is less than 3 miles?—Yes.

309. I do not think it is necessary for me to ask you any question about this. It has already been pointed out many times that this is the standard; it is not the actual; the red lines are the actual?—Yes.

310. If you produce the highest and the lowest workmen's fares in operation you would probably get a very different result?—Yes, that would be the highest of course; there is nothing higher.

311. Those would be the highest, and if you take your lowest workmen's fares you would get a blue line probably below the lowest one there?—Yes.

312. Some comment was made about the provision: "Fractions of one halfpenny to be charged as one halfpenny." The question of charging a fraction of a halfpenny as a halfpenny would only arise on the total sum?—Yes.

313. It would not arise at each mileage break?—Certainly not.

314. It is the total fare?—Quite.

(The Witness withdrew.)

Mr. Bruce Thomas: That is all the evidence I propose to call upon the workmen's fares.

President: Would you like to address the Court or call witnesses, Mr. Dew?

Mr. Dew: I do not wish to call witnesses. The points that I have sent in to you are that my Associa-

tion objects to the insertion in the form of the schedule the words: "Where workmen's tickets are from time to time issued." We are wondering what those words mean. I am representing here the ordinary workman, and he expects that he is going to be able to get his workman's ticket as he has hitherto

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been getting it very largely at the station, and he wonders whether if those words remain it gives some power to the companies to discontinue at certain places issuing tickets. It puts it rather at the will of the company as to what they will do. I asked the Witness, Mr. Cox, and he said he did not know; he could not give me an instance where those words are at present used. I have in mind what took place quite recently in Parliament in 1920, when the Electric Railways (Fares) Bill was under consideration. There are no such words put in there, but words are put in there definitely as to how the workmen's tickets are to be issued. In the London Electric Railways (Fares) Act of 1920 it says: "Each of the companies shall every morning, except Sundays, Christmas Day, Good Friday, and public Bank Holidays, issue at all stations"—nothing about from time to time—"on its railway workmen's return tickets," etc. I am wondering whether if those words remain in the form of schedule the company is going to take advantage of them to do something. I do not impute wrong motives at all, but it does seem to give the power to do something, we are not quite certain what, which might lead to the disadvantage of the workpeople. I do not know of any instance where those words are used until they have been put forward as a suggestion in this schedule.

Then my Association object very much to these fractions being put in.

Mr. Jepson: Before you leave the other question, you are not asking on behalf of your Association that any Parliamentary obligation that may apply to the South Eastern & Chatham line—

Mr. Dew: No. My Association is a national one, and we are asking this generally.

Mr. Jepson: You are not asking that the railway companies shall be put under obligation to issue workmen's tickets at every station on the railways?

Mr. Dew: Where they are needed, certainly. I hardly know an industrial town where there are not workmen living in it.

Mr. Jepson: Of course, you know under the Cheap Trains Act, where it can be shown that there is a demand for workmen's tickets, there are certain obligations on the railway companies; you do not want to go higher than that?

Mr. Dew: I should like this Tribunal to do something like Parliament has been doing. I put a question to Mr. Cox about the railway that he represents, the South Eastern & Chatham. When their amalgamation took place Parliament put a condition in the Act that they should issue workmen's tickets from every station within 20 miles of London.

Mr. Jepson: But Parliament has not put that in the Railways Act of 1921.

Mr. Dew: I know it has not, but you have to interpret it, and I am expecting to get something very good indeed. We have great faith in this Tribunal, and we are looking to get something very good.

I am interested with my friends the London County Council about housing. I want to see London developing more rapidly all round the outer part. Owing to having very cheap workmen's fares on one side of London we have rather overdone the population there, while in other districts we have not been able to get housing schemes put into operation, simply because there was not the means of getting to those districts. Take the Midland Company that has always been very backward indeed in giving any facilities for workpeople. You can get into the train at St. Pancras and go out to St. Albans, a 20 miles run, and nearly all the journey is taken through open country. The Midland Railway Company was one of the most backward and is still one of the most backward in giving facilities. If you get facilities to all parts of the suburbs of London and other great towns, housing would spring up in a more gradual and more regular way than it has done under the haphazard system we have had of workmen's fares at the present time.

I do not think I need say anything more in regard

to the limit of 60lbs. for workmen's tools. I think the matter has been brought out very well indeed by Mr. Cox in his evidence. You will find that the railway companies take no responsibility whatsoever for those tools. They limit them to 60 lbs. entirely, at the workman's own risk, and I want to know why you should put this in now? Why should this be allowed to be put in? I am told that it is printed now on some of the bills at the railway stations; I was not aware of that, but I do hope that you will strike it out. You do not put it in with the season ticket people; you do not put it in with the ordinary third class people. It is only occasionally that the workman wants to carry a considerable quantity of tools, that is, when he is changing from one job to another, and when he is, do not put that poor man under a disadvantage with regard to the weight of his tools; at least, give him as liberal an allowance as you would to a season ticket holder or an ordinary third class traveller.

Those are the points that my Association wished me to put forward, and I am quite sure that we are safe in the hands of this Tribunal.

Mr. William Strang: I would ask that the Tribunal should give a ruling, so far as the South Wales Colliery Companies are concerned, that they should not be jeopardised in the arrangements that have existed for so many years, by the provisional proposals by the railway companies in respect of the form of schedule.

Mr. Brage: I do not know whether you would like me to put before you in two words the views of the Traders' Co-ordinating Committee about this without going into detail. Like the Alderman, we have come to you with the utmost faith in this Tribunal, but unlike him, we have not come to ask you for a concession or anything else. Our view of the matter has arisen in this: a very large number of big manufacturers are, of course, very much interested in the fares of their workmen, but the fares of those workmen are not always paid in the form of fares. You have heard already this afternoon the position that exists with regard to colliers' trains and peculiar circumstances which are in existence all over the country, and there are other arrangements of that kind. In dealing with this question, we made the assumption which we always make in questions of this kind, that as regards revenue, as regards quantum, the only assumption you can go on at present is that the same amount of revenue will be derived from workmen's fares under the new system as it is at present. Therefore, that question washes out, as it were. But if that is to be preserved, and if the companies say that this scale which they have proposed will have that effect, we are quite content to take it. If they say on the other hand—and I am not quite sure from what they said this morning that they did not say this—that that position will be preserved by a proportionate relation with the third class fare, we have nothing to say, but it has been all through our view, seeing that there are such a number of special arrangements for carrying workmen, colliers and what not, all over the country to-day, that it is not desirable that you should in fact make the standard for those changes the third class standard fare, the quantum of which we think ought to be decided on its merits, and we saw a danger in linking that up with the third class fare and making, which I think is the proposal of the County Council, in fact the basis or the standard for the workmen's fares the third class, either ordinary or standard fare, which ever it may be. That, Sir, is our position in the matter.

Mr. Stafford Cripps: May it please you, Sir, I should like to make quite clear before I start addressing you on this, what the position of the London County Council is. The London County Council are not out either to favour any particular class nor are they out to deprive the railway companies of an adequate income. Their chief position here is as people who are responsible and who feel themselves



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responsible for the housing of the enormous population of London, and they approach this subject from that point of view.

Under the Railways Act, section 30, and the Schedule, as I read the Act, you are now fixing the form of this Schedule once and for all. The standard charges in the Schedule can be varied hereafter, but there is no provision for varying the form of this Schedule when once laid down, and what makes it a very important matter that this Tribunal should consider carefully the form which they are to adopt, because the form as now adopted by this Tribunal will very largely in fact affect the question of quantum when it comes up to be decided, and will further affect the question of any variations that are made hereafter in the standard charges in the Schedule. If that is so, I should venture to submit to you that the railway companies in putting forward their suggestion have not considered this matter in the way it should be considered. Their suggestion is simply that of the Rates Advisory Committee; they have adopted that which they so strenuously opposed before the Rates Advisory Committee, and they say they have adopted because it has worked well since. Mr. Cox has told us, and we have put in figures to show that in fact at the present moment on the South West railway, as an example, there is not a single case near London where that Rates Advisory Committee rate is working, and the only reason put forward by my learned friend for the adoption of this rate was that it gives a uniformity. Of course, any standard rate must give uniformity; it is inherent in the word "standard"; and therefore that advantage which he claims for this system of fixing the rate will be an advantage which will flow from any standard rate. I do not wish to criticise in any way the Rates Advisory Committee, because you realise that they were handed a reference. I think it was on the 7th July, and with almost incredible speed they reported on the 23rd. The only people represented by Counsel before them were the railway companies, who were represented by five Counsel, and possibly the evidence of the other side was not put forward as convincingly as it might have been put forward with due preparation. The great matter which seemed to weigh, as Mr. Jepson told us this morning, with the Rates Advisory Committee was the phenomenal increase in wages. Just at the time when they were sitting, wages had reached their peak. Towards the end of 1920, according to the Ministry of Labour figures, wages reached their highest point, and at that time it seemed to be a very strong argument to put forward that here you have a large number of working people earning wages quite out of proportion to their pre-war wages, whereas the clerical classes, who are travelling with third class seasons, are earning only a slightly increased wage; why should the clerical classes pay more than the working man? I am not going to read through the Report, but if you consider the terms of their Report you will see that that matter weighed very greatly with them; in fact in the terms of reference which were put before them the altered social conditions was one of the matters which was drawn to the attention of the Rates Advisory Committee. I am going to call some evidence before you to show that that relationship between the wages of working men and others of post-war trade, and now it has entirely gone back. The proportions are no longer anything like what they were at that time. Therefore, this temporary expedient, which was put forward by the Rates Advisory Committee as a temporary expedient in order to find the £2,750,000, which it was necessary to find in increased workmen's fares, no longer has any application at all. You will remember those words which I read to Mr. Cox this morning, and which Mr. Jepson explained. The Rates Advisory Committee realised that the rates which they then fixed were temporary rates which would have to be refixed in the light of public policy, either raised to a greater level or, if wages and everything went back, perhaps lowered to a lower level, but which would anyway

have to be refixed, and were not intended to be a permanent method of fixing the workmen's fares for all time. There is in the Rates Advisory Committee's Report no scientific basis at all for a permanent settlement of workmen's fares. Workmen's fares you have decided are an extremely important part of the fares which are charged for passengers on the railways in this country, so important that you have decided that a schedule of standard charges for them must be got out. I should just like to remind you, if I may, that the reason of your decision at page 152 of your judgment was this: "The purposes of the Act in our opinion require that the Schedules should be in such a form as will contribute to precision when the Tribunal endeavours to discharge its duties under Sections 58 and 59 of the Act and at the same time form the authentic statutory basis for the rates, fares and charges which a Company can make to the public for the conveyance of such traffic as it proposes to carry. In our opinion these schedules will contribute most to precision and at the same time afford the most serviceable basis of charge to the public, which are as far as possible comprehensive, will reduce the number of exceptional charges, and standardise the charges for such traffic as is capable of being dealt with; they would not be comprehensive if they excluded such large portions of traffic as are dealt with by way of season tickets or workmen's fares." The standardisation of the fares was put forward as being one of the most essential reasons for ordering this Schedule to be put before the Tribunal; therefore, the County Council have felt that in approaching this subject it is no good relying on some casual scheme which has been got out to meet an emergency. It behoves them and the railway companies to put forward some really sound proposition which is based on some theory or on some real reason which exists. In fact, it comes to this: the Rates Advisory Committee said that these matters had got to be re-adjusted in the light of public policy, and it is a question which I put to Mr. Cox first, which gave rise to a little discussion as to what that public policy is: what are the matters which this Tribunal has got to take into consideration in fixing a form of Schedule for workmen's fares. Mr. Cox, when he was dealing with that point, first of all, hesitated and then he said that he had taken into account the question of housing.

I submit that if you approach this question properly there are three things you have to take into consideration as points of public policy, and they are these: first of all, there is the question of standardisation, because that is the policy dictated by the Railways Act. Secondly, there is the question of housing, and upon housing the whole theory of workmen's fares depends and always has depended. Thirdly, there is the question of public convenience and safety, that is to say, that you have large masses of people to get into your industrial districts during the day, and you have to so arrange your system of charging that they do not all come in at the same hour. These, if I may say so, were, as far as I can see by carefully reading through the evidence given before the Rates Advisory Committee, the very principles which the railway companies called in aid in putting forward their then suggestions.

The first one is with regard to standardisation, and I must say that the attitude taken up by the railway companies in this matter as regards standardisation is one which I should have thought would hardly have appealed to this Tribunal or any other Tribunal. The railway companies have put forward a scale which they avowedly say will have very small application; they put it forward as what they call a maximum scale—a phrase repeated every few sentences by my learned friend in opening his case.

Mr. Bruce Thomas: Who said it would have very small application?

Mr. Stafford Cripps: You did, Mr. Bruce Thomas. You said there would be so many exceptional rates that this could only be treated as a maximum. That seems to me to defeat entirely the intention of the Act. I do not care how difficult it is to devise a proper theory upon which these rates should be

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based; it seems to me that it is the duty of everybody interested in this matter to try now, when once for all this form of Schedule is being fixed, to lay down some permanent form which is going to be generally useful. It is no good laying down a mere maximum and saying of course everything has got to be exceptional; you have to continue all your present rates, and they must all be exceptional rates. You have got to try and find some rule, some theory, so you can develop a rate which will approximate to the needs of the community, and if you develop that rate, in my submission, however great the differences are between that and the existing workmen's fares, those differences have got gradually to disappear. It may be, as the Rates Advisory Committee decided, you must not make any immediate increase greater than 200 per cent., or, as the Government decided, greater than 4d. a day, but you have to add some sound basis, and merely to put it off by saying that this haphazard basis has served, which has been altered twice since it has been brought in, but you are going to use it as a nominal maximum, is not treating the question seriously.

That is so far as standardisation is concerned. Now the next point is the question of housing, and that, in our view, is by far the most important aspect of workmen's fares. I am not going into the details of the housing problem at the moment, because I am going to call before you two witnesses who will deal with that question fairly exhaustively, because I think it has got to be dealt with at this point exhaustively. The origin of workmen's fares was, of course, in housing. The reason why the workmen was charged, and Parliament imposed a cheap fare, was not in order that the workman should joy-ride on the railways; it was in order that he should be able to live further from the congested centre where his work was, and it is on that basis that workmen's fares have developed. Of course, that is a question which peculiarly concerns London. It is all very well for my friend, or for Mr. Cox, to say that the rates round London are very largely exceptional, and to say that the number of ordinary third class fares round London are a very small proportion of those of the United Kingdom, which admittedly, of course, is true. On the other hand, the volume of workmen's traffic pouring in and out of London every day is a very large proportion of that travelling in the United Kingdom. Therefore, although London rates may be exceptional they are probably by far the largest proportion of the actual workmen's rates that are in force, and are used in this country. The difficulty in regard to housing is, of course, that there is a tendency to overcrowd your centre, and the only way in which you can get that overcrowding diminished is by giving facilities to people to travel outside from the centre. As your centre expands itself so there is a need for greater and greater expansion out from it. For instance, during the last ten years—I am not certain that it is not twenty—the twelve central Boroughs of the Metropolis have consistently decreased in population. That centre is no longer possible for population; the population has to move automatically out of it. As the slum areas are destroyed, and so on, the population has to be displaced. The result of that is that, although on the statistics of pre-war figures the distance travelled by workmen may not be very great, the demand is becoming further and further away, and to put the problem in the way which my learned friend put it, that when housing schemes become important there is nothing to prevent the London County Council coming to this Tribunal and asking for a review, is, of course, putting the cart before the horse. Just look at the position that the London County Council are now in at Dagenham. As you have heard, the workmen's fare which is charged is more than the second class season ticket. The result is that it makes that district impossible. They have got a big housing scheme there and they cannot get their workmen to and from it. Once you get a standard rate on a proper basis out from London

from the centre all over the outlying districts the matter of the development of housing will be enormously increased. That is why it is so extraordinarily important not to fix workmen's rates in a haphazard or casual way but really to try and work out some system upon which they should be based.

The system which comes out of the housing idea is the tapering rate, and that is the first principle which is incorporated in the London County Council proposals. I tried to get Mr. Cox to help me with regard to the effect of the tapering rate upon housing, and it was only after a little reluctance, I think, that he admitted that the tapering rate, which was shown in the Rates Advisory Committee's scheme, was one which would help the housing question.

Now, Sir, I want, if I may, just to refer you to one or two passages of the Railway Companies' evidence before the Rates Advisory Committee dealing with this question of housing, and the first one is Sir Harry Thornton at page 37, question 521. I do not want to have to read the whole of the answers, but if my friend wants me to read on he will let me know.

*President:* Just read what you consider important for your argument.

*Mr. Stafford Cripps:* This is at the top of page 37 where you will see Sir Henry says in the fifth line: "Our metropolitan problem, it seems to me, is such that we ought to distribute our population in the suburban zones as generally as possible. There should be no considerable spaces in the immediate vicinity of London which are not available to the working population. By 'working population' I mean every man who works, whether he works with his hands or with his head." He is there dealing with the point that there really should not be any distinction, as far as he is concerned, between the typist or black coated man and the ordinary workman. Then he goes on at question 522—I am not quite certain who is asking the questions at the moment: "I think if specially low fares are given to certain parts of your suburban districts, it means that there are great aggregations of the working-class population in these districts, whereas if the fares were uniform they might be spread much more comfortably over the suburban districts as a whole?—A suburban area which enjoys preferential fares necessarily attracts large numbers of residents, that results in congested areas on such a railway as the Great Eastern. The existing fares on the Great Eastern Railway have certainly resulted in congested areas of population, as you put it." There you see he is emphasising the point that you must try and distribute your traffic uniformly along your line with regard to London, and that, as Mr. Cox admitted, is the ideal of the railway company, and it is also the ideal, of course, of the person who is responsible for the housing of the population of London. Whether that ideal can be helped forward by our scheme Mr. Cox was not prepared to admit, but of course our suggestion is that if you adopt this tapering rate, and it does not really seem a very outrageous suggestion, you will help the people to get out along the lines, and instead of either congesting your population at Enfield because you have got a special 6d. rate there, or avoiding Dagenham because it is too expensive to get there, you have a graduated rate all along the line, so that the real difference in what a man has to pay, whether he travels 30 miles or 7 miles, will not be so great as if he varied regularly all the way along. That does not seem to me to be such an outrageous suggestion, and not only that, but the Rates Advisory Committee have adopted that suggestion by putting a taper in half way along.

There is one other passage I think I might refer you to in Mr. Pike's evidence at page 9, Question 19; he was then giving evidence for the Ministry of Transport. He says, about ten lines from the bottom of the page: "The fact that workmen's fares vary so greatly on different systems has probably had the effect of driving workmen into special areas—e.g., West Ham, Edmonton, etc., with the result that we

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get large districts populated entirely by the working classes, and without any sprinkling of richer people to assist in paying the rates; the system has in this way also contributed to great congestion on certain lines, whereas a more even distribution of working class homes would have spread the load over the whole of London." Then there is another passage which I am going to read later on, but which I do not want to read at this moment, because it applies to another point. There again you have the point emphasised that you do want to apply a standard rate. We say it must be a tapering rate. There they are saying that in order to get them out along the railway lines you must have a standard; do not charge them 6d. on the Great Eastern and 1s. 6d. on the Great Western and 9d. on the London, Tilbury and Southend; charge them a standard, and you will get them going out evenly. We are not afraid of the argument that putting on a standard of this sort may mean certain fares going up. We are not all out for the cheapest fare under any conditions. What we want is some system which will distribute these people, who have to be housed, uniformly in the suburbs of London.

There is one other bit of evidence I should like to refer you to, and that is at page 97, Question 1954. This was some of the evidence given by the Underground Railways, but they, of course, also deal with this housing problem, and I think it is valuable to see how they attack it. I think I shall have to go back a little before that and begin at the last few lines of page 96: "We do not want to restrict the volume of traffic and we are of opinion all London fares, such as workmen's fares and season tickets, whatever other special fares there may be, should have a definite relationship to ordinary fares." That is another point I am coming to in a moment. "Therefore, before one can consider workmen's fares or season ticket rates, one has to consider what is a proper scheme of ordinary fares." Then Mr. Acworth asks: "Would you give some instance of that?—Yes, we can give illustrations of that. If we take the fares from our Ealing Broadway Station coming into London, you find that to Acton Town, a distance of 1·6 miles, where we could charge 2d., we actually charge 1d. plus 50 per cent., 14d. to Turnham Green, a distance of 3 miles, we charge 3d.; to Hammersmith, a distance of 4·3 miles, we always charge 3d., being an original 2d. fare increased by 50 per cent. To Earl's Court, a distance of 5·8 miles, we charge 4d.—3d. plus 50 per cent.—whereas we could have charged 6d. To South Kensington, a distance of 6·8 miles," and so on. Then he says in answer to the next question: "Therefore it is clear other existing fares fall below the maximum possible fare by a continually increasing amount according to the distance the man travels." That is to say, that instead of applying a uniform maximum rate per mile, over the whole line, as the man travels a greater distance so he is allowed a greater reduction below the maximum, and that is exactly the same as we are really proposing here—a smaller percentage as you get further from London. So I submit that what comes out of the housing consideration, that part of public policy which one is considering in fixing these rates, is that it is desirable to have a tapering rate. We are not concerned at the moment as to the quantum of taper. All I want to establish is the fact that that rate must taper, and I really think I can call in aid what Mr. Cox said there as agreeing that some degree of taper was advisable, because in their own Schedule which they have put forward they included some degree of taper.

Now there are three facts which show that that taper is desirable. Besides the theory which is housing, which shows its desirability, there are three actual facts which show its desirability. The first of those is the charges made by the North Eastern Railway before the War. I think you have had the reference to that, but perhaps I might give it again; it is at page 53, Question 1236, and it is where Mr. Bruce Thomas says: "I think Mr. Gore-Browne will be interested in the second page"—they had handed in

a page showing all the workmen's fares on all the railways in the Kingdom—"showing the North Eastern practice, where, apparently, the fares are on a scale and work out at a yield of 1d. a mile at 3 miles to 15s. of a penny at 25 miles, the third class single standard ordinary fare being regarded as 1d. per mile." Therefore you see the North Eastern Railway anyway had found it advisable to adopt this system of taper because they were purely voluntary rates. They were not rates which were chargeable by Act of Parliament; they were voluntary rates which were put on apparently to suit the traffic, and to suit the convenience of the railway company. I do not mean to say that they were making a large profit; I should think that is quite impossible; but they were put on voluntarily and fixed as a proper basis by the railway company.

The next point which supports me rather from a different angle is a bit of evidence given by Sir Henry Thornton at page 39 on the cost of running trains where he shows quite clearly that the cost of running a workman's train tapers in just the same way. The large amount of charges are the terminal charges, and, as he says—I will not read it all—the cost of running a train 10 miles is not double the cost of running it 6 miles. I do not know why it is 6 and 10; I should imagine the "6" is meant to be "5." However, you see it is quite clearly stated there. He says that the cost does in fact taper; it does not cost so much to run from a long distance as a short distance, so that even from the point of view of cost to the railway company there is something to be said for this system of taper.

The third point which I want to emphasise, which I am afraid I have dealt with too long already, is the question of the picture, and why I call that in aid is this: there you have the railway companies aid is this: there you have the railway companies for themselves working out some system by which they shall charge fares to people coming in from distances up to 30 miles. They have a perfectly free hand; they can do it so that it pays them best, and so that it best deals with the traffic.

President: What is the system you are referring to?

Mr. Stafford Cripps: Those are based on the railway companies' figures.

President: The season ticket rate?

Mr. Stafford Cripps: I was speaking of the third class season ticket; I beg your pardon; I thought I had stated it. They have a system by which they were bringing in residents from distances up to 30 miles; how they travel I am not concerned with for the moment. They had that problem to meet: how were they best to deal with the traffic coming into this town up to 30 miles, and they have met that problem as is shown in practice by putting on a tapering rate. That, to my mind, is the very strongest piece of evidence possible that in dealing with this housing question where you leave the forces of competition and the forces of commercial enterprise, where you give them perfectly free play, where they come to a stable equilibrium is on a tapering rate. There you have got free contracts made between residents and railway companies; railway companies free to charge what they like, and to charge whatever profits they like. As Mr. Cox said, he presumed that this was the system which had worked out to profit the railway companies best. There they work out a system which is the very system we are asking for, to deal with an exactly similar class of traffic to that which travels in our area. As a matter of fact, I do not think there is any harm in saying, it—it was from that diagram that we worked out our Schedule. What we did, as a matter of fact, was, we took the mean line between those two, maximum and minimum, which comes to almost a perfect curve, curiously enough, and we took a small step below it and drew a smaller line and said: "That shall be the workmen's fares." We then plotted the points on it, and we worked out our scheme, a scheme which is theoretically sound from the housing point of view, because the railway companies have found it advisable themselves to adopt it for third class season rates,



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and which is supported by the user of the North Eastern Railway, and by the evidence of Sir Harry Thornton as to the cost of running trains.

*Mr. Locket*: You have not altogether carried out your scheme in your present proposals, because you have based your proposals on the casual third class individual fare which is paid by a casual passenger for a single journey. If you had carried out your scheme literally you would have made it proportionate and relative to the season ticket rates, because after all a workman's ticket is really a workman's season ticket paid daily—that is a contradiction perhaps, but that is what it amounts to. I cannot help thinking that the weak spot of your proposal is the fact that you have based it on the daily individual single fare.

*Mr. Stafford Cripps*: I am going to deal with that. I was coming to that point next. If I might anticipate just for one moment with regard to that, when the question of the fixing of season tickets is absolutely in the dark, it is a little difficult even to lay down any system. You see the ordinary fare would be an actual tangible thing. We do not know what is going to happen with regard to the fixing of the season ticket rates; however, I will come to that, if I may, in just one moment.

*Mr. Jepson*: At the same time you have, in dealing with your season tickets on this diagram, taken the actual scale that is in operation up to 30 miles for a large number of companies; I do not say it is universal.

*Mr. Stafford Cripps*: It is the maximum and minimum; it includes every one.

*Mr. Jepson*: Quite. It is a scale which is in operation on the railways to-day, but there may be exceptions to it.

*Mr. Stafford Cripps*: There are no exceptions to that. Between those two lines is included every fare charged on the railways to-day; there is no exception for third class season tickets.

*Mr. Jepson*: But if you are fixing one as a standard you would probably have to take the top red line as the standard season ticket scale for 30 miles and everything below it would be an exceptional rate.

*Mr. Stafford Cripps*: Or you would take the mean line and say: "We consider it just that the people above should pay more and the people below should pay less, and we intend to make a standard that should be kept to." That is what I suggest is the meaning of this Act—that you are to fix a standard which is to be kept to. Of course, there must be exceptional rates in exceptional circumstances, but as regards all ordinary rates it is intended that the man outside Birmingham shall pay the same for coming into Birmingham as the man outside London shall pay for coming into London.

*Mr. Jepson*: You have made that statement, but according to Mr. Cox's evidence that would not be the effect, because he has told us that round about London there are more of the third class ordinary fares which are below the standard fares than in other parts of the county. Assume for a moment that the fares outside Birmingham are up to 1½d. a mile and those round London are 1d. a mile; you have not got the same standard fare operating for workmen coming into Birmingham as for workmen coming into London, if they are based on the ordinary third class fare and not a standard third class fare.

*Mr. Stafford Cripps*: I quite agree you have not reached equality, but the Act is striving after it; that is the main idea of the Act, I think.

*Mr. Bruce Thomas*: It would be under the railway companies' proposals.

*Mr. Jepson*: Yes, I know.

*Mr. Stafford Cripps*: My friend interjects that it would be under the railway companies' proposals, but it obviously would not, because he has already got up and said there is no intention to change any of the present exceptional rates.

*Mr. Bruce Thomas*: I did not say that.

*Mr. Stafford Cripps*: Well, if he did not say that at the beginning of the hearing I thought that was one of the very important points the railway companies

were making: true, here is a schedule which is going to charge the whole of London very much more, but we are not going to charge it; it is only there as a maximum. If he says now he intends to put up every London rate to the maximum, then we shall know where we are—well, he does not say that.

*Mr. Bruce Thomas*: I think the statement you attributed to me at an earlier stage was really made with reference to season tickets, but I would not like to be quite certain.

*Mr. Stafford Cripps*: If he is not prepared to say now that the London workmen's rates are not to be put up to the maximum included in the schedule we shall know what attitude the railway companies are taking up.

*President*: If it is once fixed on your system you want there to be no exceptions at all.

*Mr. Stafford Cripps*: One cannot say no exceptions, Sir, because it might be advisable not to increase them too suddenly. There must be some real reason for it—not simply because Enfield has been charged 6d. for 25 years. That is no reason for an exceptional rate unless there is a Parliamentary bargain when we can come here under section 34 and ask for the continuance of it. I take it the meaning and object of fixing a standard rate is that it shall really be the standard; that the people shall know that because they live at Slough or anywhere else they do not get any particular advantage in living there in the way of railway traffic, but they get just the same advantage as a person 20 miles out on the other side. That is the only way which it is possible to cope with the housing problem in London. If you are going to try and develop special areas which are already congested by offering special facilities there, you will get the utmost chaos.

*Mr. Jepson*: It does seem to me there is this difficulty in my mind, following out your argument: you want a tapering scale for workmen.

*Mr. Stafford Cripps*: Yes.

*Mr. Jepson*: Clearly, the evidence is, there is no such tapering scale for the ordinary third class fare; it is so much a mile whether you go 20 miles or 30 miles; it is always 1½d. to-day. Of course, when you come to season tickets, you have shown that there is a tapering scale, but your proposal is not based on the season ticket basis at all; it is based on the ordinary fare; and although you say you want this tapering scale you are not going to get it under your proposal unless you are going to have reduced percentage all along.

*Mr. Stafford Cripps*: That is exactly what we are proposing.

*Mr. Jepson*: The railway companies have left out the figures after four miles, and you do not know what they are going to put in for the quantum for four or 10 miles, or whatever it may be.

*Mr. Stafford Cripps*: I do not know what they are going to put in, but I can make the very shrewdest guess, and Mr. Cox has told us, even in spite of the way my learned friend tried to lead him back into the paths of righteousness, that in fact the design of this schedule is that it shall be a halfpenny for one-third of a mile, and it is quite obvious, because no other figure could possibly fit it.

*President*: He said it lent itself very well to that.

*Mr. Stafford Cripps*: He then said "not conveniently," and I said "will you withdraw the word 'conveniently,'" and he said, "Yes," and so we got it, but only in the end. It took a little time, but we did get it. It is really more a matter of argument, as my friend said, but if you look at it it is really obvious that unless you charge a halfpenny for each step, and there is nothing less than a halfpenny known to the railway companies, as Mr. Cox told us, it is equivalent to knocking out a step. Then why put it in? Why divide miles into one-third of a mile if you are going to make one step two-thirds and another step one-third; why have odd steps alternating.

*Mr. Jepson*: But after the four miles it is each half-mile.

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*Mr. Stafford Cripps:* It will be a halfpenny at each half-mile, which will be a penny.

*Mr. Jepson:* I do not know; it may be.

*Mr. Stafford Cripps:* Imagine what will be the position with this Schedule fixed permanently at one-third of a mile with no power of alteration. If ordinary rates dropped to a penny a mile, which is possibly in the contemplation of some people, you would have your workmen's rates left at 1½d.; you cannot alter it.

*Mr. Jepson:* You are quite satisfied that the Schedule cannot be altered?

*Mr. Stafford Cripps:* I am quite satisfied myself that the Schedule cannot be altered. I quite appreciate that it is open to argument, but I do not think my learned friend will say it is so absolutely clear and definite on the Act that there can be no question about it.

*Mr. Jepson:* I meant that was the way you are putting it.

*Mr. Stafford Cripps:* No; I am simply putting what I say is the risk.

*Mr. Jepson:* You say the form of Schedule could not be altered, but you do not carry that so far as to say that the quantum could not be altered.

*Mr. Stafford Cripps:* No. A standard charge could be altered, but once the form is fixed there is no power to alter it.

*President:* Is your argument or conviction on the interpretation of the Act that the form cannot be altered?

*Mr. Stafford Cripps:* That is my interpretation of the Act. I do not put it as being an absolutely obvious interpretation, but I think if one looks carefully at the Act that is so, and anyway there is a very grave risk that it could not be altered. If a Court of law came to study the Act, I think that there is a very grave risk that they would hold that this Tribunal had no power to alter it.

Now, Sir, the third aspect of what I may call the public policy from which one has to look at this is the question of the convenience and safety of the travelling public; that also is a very important matter. That is one matter which was dealt with very considerably by the Rates Advisory Committee, as Mr. Jepson will remember. There is a good deal of evidence as regards the time at which these workmen and others had to be carried in, and in fact some of it is set out in the Report of the Committee. There is a rather remarkable coincidence in some figures given in regard to the Southern Railway, which shows the sort of problem: between 7 and 8 o'clock there were 23,585 passengers brought in; between 8 and 9, 23,584; and between 9 and 10, 24,803. That was given as a sort of index of what the problem was. You have to get your rates so as to distribute your passengers properly and not too get one big peak load at one hour, so that you could not deal with it either with convenience or with safety, the terminal stations not being sufficiently large to cope with it.

*Mr. Jepson:* I do not know what you are basing on that. One can quite understand that before 8 o'clock in the morning of course, the people are travelling under workmen's fares. What do you say is the difference between the people who are brought in between 8 and 9 and between 9 and 10?

*Mr. Stafford Cripps:* One is the third class season and the other would be the first class season and the ordinary third class passenger.

*Mr. Jepson:* They are equally able to travel between those hours—both of them.

*Mr. Stafford Cripps:* Quite, but the fact is that they do not.

*Mr. Jepson:* It is not because of any charge.

*Mr. Stafford Cripps:* I understand it is. I am as a very ignorant layman quoting what was said by the railway companies' witnesses before the Rates Advisory Committee.

*Mr. Jepson:* I remember very well when Sir Henry Thornton was in the box, he did give evidence to

say that they had a certain workmen's fare up to 8 o'clock in the morning.

*Mr. Stafford Cripps:* That was the special Great Eastern case.

*Mr. Jepson:* Yes; there were variations in the workmen's fare with the one object of spreading the workmen's traffic over a period; but I did not understand on the Southern lines, except for the workmen before 8 o'clock in the morning, that there was any difference in charge that brought the people in. One cannot understand that as regards clerks and others; practically they got to the office at 9, and other people, the principals perhaps, come in between 9 and 10. There may be a lot of first and third class passengers, of course.

*Mr. Stafford Cripps:* It is dealt with in the Report, and I have one or two passages here which I will read in one moment. But the principle which comes out of it is this, and it was very frankly admitted by Mr. Cox, in fact so frankly that I did not go into the question very much in cross-examination, that it is very desirable and in fact necessary from the point of view of the public safety and convenience of traffic, arriving to have some definite relationship between your workmen's fare and your ordinary third class fare. That is the principle I am calling in aid, and that is the principle which we have incorporated into our Schedule. There are only two principles in our Schedule; one is the taper, and the other is that it shall depend on the ordinary third class fare charged.

Now I would like just to refer you, if I may, to a passage in Mr. Cox's evidence at page 13, Question 106: "(Q) In your view, it is necessary, in considering the question of increasing the workman's tickets, to have regard to the relationship which normally exists between the workmen's tickets and the season tickets and the ordinary tickets?—(A.) Yes, we feel that if a change is made in any one of them the whole three should be considered in order that a satisfactory relationship may exist between them; so that if you change the workmen's fares it will not have the effect of driving the traffic, or a large proportion of the traffic, into one of the other two divisions. Similarly, if you increase the ordinary fares it will not have the effect of driving too large a proportion into the two lower divisions." You see how that bit of evidence is a criticism of what my learned friend was saying. It might be that you wanted to decrease your third class ordinary fare without decreasing your workmen's fare. This evidence says that you have got to decrease your workmen's if you have got workmen's traffic, or else you will get into danger. You will have your workmen travelling later by the ordinary trains, or if it is the other way round you will have your ordinary passengers travelling by workmen's trains. You have to keep some proportion—what it is is a matter to be determined hereafter—between your ordinary fare charged, not the standard. If you have an ordinary fare to Enfield of 7d. and the standard fare is 1s. 6d., it is no good having the workmen's fare fixed on some proportion of the 1s. 6d.; it has to be fixed as some proportion of the 7d., or else people will not travel at the right time.

*Mr. Bruce Thomas:* That all depends on the points that they are travelling between.

*Mr. Stafford Cripps:* There is another passage that I should like to refer you to; I think I have read it with regard to the other point. It is only where Mr. Pick in his evidence says: "We do not want to restrict the volume of traffic, and we are of opinion all London fares, such as workmen's fares and season tickets, whatever other special fares there may be, should have a definite relationship to ordinary fares." There must be some definite relationship, you see. There is one other passage which I might read you perhaps from Mr. Cox's evidence at page 18: It is a question by Sir William Acworth, then Mr. Acworth, who was trying to get out of Mr. Cox whether there was any principle upon which third

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[Continued.]

class seasons were fixed as to amount. Of course, it was stated that there were very large numbers of exceptional ones, and Mr. Acworth says at Question 93: "(Q.) But should not we have a guide of some value in this way? Supposing the working-class fare is 1s. and the ordinary return ticket, if you took one every day, was 6s., we might say it was something like half-way between 1s. and 6s.?"—(A.) Yes, generally speaking. (Q.) You might say it was somewhere near the middle?—(A.) Yes. (Q.) It would be somewhere about 3s. or 3s. 6d.?—(A.) Yes. (Q.) That does seem to be something in the nature of a principle?—(A.) Yes, but I would like to emphasise the point that that does not always apply. It is a very general principle, and a very loose one, if I may say so. (Q.) But you think that is the principle that does exist somewhere in the back of somebody's head in most companies?—(A.) In many companies, yes. (Sir Lynden Macassey: If you want to state a general principle, the nearest you can approach to a general principle is what you say?—(A.) Yes. (Q.) It comes somewhere about midway?—(A.) Yes. I do not think that was accurate in effect.

Mr. Jepson: No figures were produced to prove anything of the kind.

Mr. Stafford Cripps: But it is important from this point of view: it is what the railway companies have got in the back of their mind from their experience as being the proper way to work this traffic. They have obviously got as a general principle that you have three stages: you have to take the cheapest, the workmen's, next your third class season, and next the ordinary rate. There are those three classes who are travelling the one after the other, the cheapest fare going at the earliest hour. That is the general principle they have at the back of their minds. That is what they all stated—anyway their witness stated it, and I ask you to accept the evidence given before the Railway Rates Advisory Committee, that it is desirable and necessary in the cause of public safety and public convenience to link up your workmen's fare definitely with your ordinary third class fare—not the standard fare, but the actual fare charged between the two points, and that again I think, when you come to think of it, seems very natural and proper. If you want to get the people to travel very early you have to give them some monetary advantage; that is all that it comes to. Then it has this very great additional advantage to my mind: it will not be a question, if you fix the Schedule in the form asked for by the London County Council, of altering the workmen's fare every time an ordinary fare is altered. If you have an exceptional ordinary fare you have an exceptional workmen's fare, that is to say, the standard workmen's fare is based on what would be an exceptional ordinary fare, and in that way you have got the relationship preserved automatically, that relationship which the railway companies hold is essential to public safety, however they alter the ordinary fare, and that, in my submission, is a very important point.

Mr. Jepson: You have lost uniformity which you thought was a very good thing upon that.

Mr. Stafford Cripps: We have only lost uniformity to this extent, that uniformity is not given in the ordinary third class fare. As soon as we get to the ideal at which the Act aims, uniformity throughout, there will be uniformity of workmen's fares, but until you get to that time, whenever it is necessary to make an ordinary fare less than the standard, there is no earthly reason why you should not make the workman's also less than the standard workman's. I cannot conceive what reason the railway companies can put forward for saying if you charge less than the standard for the ordinary third class passenger the workman must still pay the standard fixed on their system; he does not get the advantage.

Mr. Jepson: I can see this, and it appealed to me from the evidence which has been given: there may be very good reasons for pulling down an ordinary

third class fare to meet some outside competition, but the workman is already travelling at half that ordinary fare beforehand, and there is no necessity to reduce his fare to keep his traffic; therefore, the railway company approaches the two propositions from a different angle. They say: "There is no necessity for the purposes of this outside competition to reduce the workmen's fare; there is a necessity to reduce the ordinary passengers fare." To my mind, you have not dealt with that point. I do not see myself why the workman should necessarily come down if he is not affected, or his traffic is not affected, because the railway company in their own interests, and to save traffic being driven to the road, or to some other competitive service, reduce the ordinary fare.

Mr. Stafford Cripps: I should say that if the ordinary person living, say, at Enfield is properly charged 3d. a mile the workman is not properly charged also 3d. a mile for many reasons: first of all, he cannot travel at the ordinary hours like the ordinary individual; he has got to go by certain trains; his liability for accident is cut down.

Mr. Jepson: I know that.

Mr. Stafford Cripps: But these are all reasons, and if those reasons always operate between two classes of traffic, why on earth should not there be a constant percentage of the charges between the two?

Mr. Jepson: The railway company may be content to take a much smaller profit to compete with some road carriage for the ordinary passenger; the workman has already got his 50 per cent. less than the ordinary passenger talking of pre-war. Why should the workman be reduced because the ordinary passenger fare has been reduced? The workman is satisfied; the competition by road does not affect him one bit, or it does not affect the traffic in workmen.

Mr. Stafford Cripps: I am afraid the only practical answer I can give to that is that the railway company witnesses, including Mr. Cox here to-day, say that in their view it is proper and right that there should be a relationship between the workmen's fare and the ordinary fare as charged. I am not such an authority as they are. They have all said that with one voice, and I am prepared to accept that principle which they put forward.

Mr. Jepson: But you do not answer the point I put to you.

Mr. Stafford Cripps: I agree I do not answer the point, because I have not the knowledge that the railway companies have. There are various answers one might give on that which might be only wasting the time of the Tribunal, but I should have thought if the ordinary passenger is carried cheaper by train, or bus, the workman also would be carried cheaper by tram or bus, and therefore they would make a proportionate reduction in his fare. But it is sufficient for me in arguing to say that the railway companies have come before you here, and when they were before the Railway Rates Advisory Committee they with one voice said that it is desirable to have this relationship between the ordinary and the workmen's fares, and I do not want to contradict them; I am prepared to accept their evidence on that point absolutely.

Just to summarise, I have put forward what I submit are more or less three scientific bases for fixing this Schedule. The first is standardisation, the second is the tapering rate for housing, and the third is the safety of the public which, according to the railways, demands this inter-relationship. Those are the only things which are contained in our Schedule. I agree the form in which this is put forward, which I admit being responsible for, is not perhaps a happy one, because it is very difficult without putting in figures here to bind the Tribunal in any way in fixing the form of this Schedule to the idea of tapering, and one felt perhaps that it was a waste of time to come



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[Continued.]

here and argue the case unless one did get that theory accepted; therefore, although we have figures here which I should be quite prepared to put forward if it were necessary to fill in, and percentages to show the sort of tapering we mean, it was no good putting them in, because until you are fixing the question of quantum you cannot consider the applicability of any figures. But what we do ask the Tribunal to do is to settle these two principles, that there shall be a percentage or taper for distance,

and that it shall be a percentage on the ordinary third class fare.

*President*: I notice you adopt a form which makes it possible to taper it.

*Mr. Stafford Cripps*: Yes, and which makes certain that it shall depend on the ordinary third class fare, and the only way of getting that taper and depending on the ordinary third class fare is to take a percentage and to make it a percentage of the ordinary third class fare.

(Adjourned till to-morrow, morning at 10.30.)